

1 SOUTHEAST SUBSISTENCE REGIONAL ADVISORY COUNCIL
2 PUBLIC MEETING
3 February 8, 1995
4 Alaska Native Brotherhood Hall
5 Hoonah, Alaska
6

7 VOLUME I
8

COUNCIL MEMBERS PRESENT:

10
11 William C. Thomas, Sr., Chair
12 Vicki LeCornu, Secretary
13 Herman Kitka, Sr.
14 John P. Feller
15 Richard Dalton, Sr.
16 Patricia A. Phillips
17 Mm Robinson
18 Lonnie Anderson
19 Marilyn R. Wilson

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21 Carol Jorgensen, Coordinator

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P R O C E E D I N G S

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CHAIRMAN THOMAS: Good morning everybody. We'll go ahead and get started. I'm sorry for the lack of seating, but as our crowd swells here, we're hopeful we'll do better as the day goes on. We're going to allow some introductions a little later on when more local people show up so that you'll have an idea of who the visitors are and some of what this organization is all about.

10

11

Before we call the meeting to order, I'll ask Herman Kitka if he would open our session with an invocation. Would you all rise, please.

14

15

(Invocation)

16

17

CHAIRMAN THOMAS: Just under some opening remarks. For those of you that haven't had the opportunity to see or hear much of the responsibilities of this council, I'm going to allude to a small portion of Herman's invocation. He prayed for our wisdom to help solve the problems that we're dealing with on this issue of subsistence. And that's pretty much where it's all at. It's an issue, it's a problem. To some people it's a problem, to some people it's not. We're here to work collectively to lead a charge of cooperation to bring a resolve to whatever subsistence issues or concerns that we have. It's a spirit of compromise. We need to have compassion for those that don't always agree with each other. Ultimately, we have to feel satisfied that whatever we carry forward with is going to be what we want to represent us in maintaining our subsistence provision, I guess. It's hard to define subsistence. I don't want to call it a lifestyle necessarily because it isn't a lifestyle of everybody, and it's a right some people consider a privilege. Ultimately we want to put all of those justifications to rest to come up with a charge in dealing with this use of resources as best we know how, and something that we'll be proud to hand on to the next generations that come.

39

40

Again, I'm glad to welcome all of the Hoonah residents that are here. Some of you that traveled from other communities to represent the interests of other communities, it's always good to see the council. I'm very proud of the members of the council that are here, you're well represented. I want to thank Richard for inviting us, the Council, to meet at Hoonah. He promised us the world, so we're holding him to it. So, he said anything we want, nothing is too great, he said, to ask for. So, we're going to hold him to it. We're happy to be here. I'm glad that we're able to meet in a hall

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Where many issues of the people of this land -- the people of this region have brought concerns and issues to this hall, deliberated them, took them forward, came up with a resolve and went on to the next issue, but they were in a spirit of celebration. Every time they had a successful result they'd come back and have a potluck. So I'm looking -- hoping we're looking forward to a lot of potlucks.

8

9 Again, I say I'll take time out a little later to
10 introduce members of the council, staff people. Those of you
11 that have items that aren't on the agenda, we'll deal with them
12 the best we know how. We're part of a bureaucracy here, we're
13 designed to deal with bag limits and seasons on game animals or
14 subsistence animals, and anything different than that we'll
15 work through the best we know how and represent it the best we
16 know how. In any case, we're not going to steer away from any
17 of that. So, we'll go ahead and start. We have a few things
18 before we get into our proposals. Those of you -- let me
19 remind those of you that wish to testify on proposals, there's
20 a sign-up sheet in the back of the room. Those sheets will be
21 brought to me so that I'll know who will be testifying. We'll
22 call your name as they're available, and that will have to
23 apply for each resolution. One slip doesn't entitle you to
24 speak at any given time. That's only a process that we know
25 how to work with, it's easier for us to keep track of who is
26 saying what so that we can have a clear record of what we're
27 doing to do. That's the only reason for that process.

28

29 Our Table of Contents, to give you an idea of what
30 we're going to do in the three days that we're here, we're
31 going to be considering our council list, the time for
32 membership. We've got some documents that need to be signed,
33 such as the Council Charter. We're going to discuss the
34 nomination application process, we're going to -- we've got
35 some material for reading. I'm not sure, are there extra
36 packets available? There are some packets and some information
37 available in the building in case you're interested in a
38 particular area that we will discuss or you might see listed.

39

40 With that, I'll ask Vicki to call the roll. Vicki.

41

42 MS. LeCORNUE: Mr. William Thomas, Sr.

43

44 CHAIRMAN THOMAS: Here.

45

46 MS. LeCORNUE: Gabriel George. John Vale.

47

48 MR. VALE: Here.

49

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1 MS. LeCORNU: Herman Kitka.
2
3 MR. KITKA: Here.
4
5 MS. LeCORNU: John Feller.
6
7 MR. FELLER: Here.
8
9 MS. LeCORNU: Richard Dalton, Sr.
10
11 MR. DALTON: Here.
12
13 MS. LeCORNU: Patricia Phillips.
14
15 MS. PHILLIPS: Here.
16
17 MS. LeCORNU: Mim Robinson.
18
19 MS. ROBINSON: Here.
20
21 MS. LeCORNU: Lonnie Anderson.
22
23 MR. ANDERSON: Here.
24
25 MS. LeCORNU: Marilyn Wilson.
26
27 MS. WILSON: Here.
28
29 MS. LeCORNU: Vicki LeCornu, here. Dolly Garza.
30
31 MS. JORGENSEN: She will be here tomorrow.
32
33 MS. LeCORNU: And Dewey Skan.
34
35 CHAIRMAN THOMAS: Do we have a quorum?
36
37 MS. LeCORNU: There is a quorum present.
38
39 CHAIRMAN THOMAS: The quorum has been confirmed. Okay,
40 you've had a chance to review the agenda. Is there a motion to
41 adopt?
42
43 MS. LeCORNU: Move to adopt.
44
45 MR. VALE: Second, Mr. Chairman.
46
47 CHAIRMAN THOMAS: Okay, there has been a motion to
48 adopt, however, a little bird told me that we're hoping to add
49 some things to the agenda later on. In order to allow for that
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the most convenient way is to adopt the agenda as a guide. If
 we don't adopt the agenda as a guide we're going to have to
 suspend the rules in order to do the same thing each time. So
 what is the wish of the council?

5

6 MR. ANDERSON: Mr. Chairman, I would recommend that we
 suspend the rules and add items as they come before us.

8

9 CHAIRMAN THOMAS: Okay.

10

11 MS. ROBINSON: I'll agree to that.

12

13 MR. VALE: I couldn't hear. Repeat.

14

15 CHAIRMAN THOMAS: He said to adopt the agenda now and
 then suspend the rules each time something new comes up. Any
 further discussion?

18

19 MR. ANDERSON: Under discussion, John, that would be
 amendments that you can always amend the rules that you foresee
 if some unforeseen emergency comes up and you want to add to
 the agenda and it disallows it and you add it later.

23

24 MR. VALE: So that would require a motion then at that
 time?

26

27 MR. ANDERSON: Yes.

28

29 CHAIRMAN THOMAS: If you adopt it as a guide we don't
 need any action later on. It's a parliamentary suggestion; a
 guide would be more usable.

32

33 MS. ROBINSON: Question.

34

35 CHAIRMAN THOMAS: Question has been called. All those
 in favor, say aye.

37

38 IN UNISON: Aye.

39

40 CHAIRMAN THOMAS: Those opposed?

41

42 (No opposing responses)

43

44 CHAIRMAN THOMAS: Motion carried. Okay, so let me
 explain to you what happened now. While I think the intent of
 the motion was something else, the result of the motion now
 requires at any time you want to do something different in the
 agenda, it's not on the agenda, we'll have to suspend the rules
 and go through the process.

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1
2 Okay. That being the case, you've had a chance to
3 review the Minutes? If you didn't have a chance to review the
4 minutes, kind of make it look like you did.

5
6 MS. LeCORNU: I have some handwritten minutes that I
7 can submit.

8
9 CHAIRMAN THOMAS: Okay, I wasn't even looking.

10
11 MS. LeCORNU: No, we don't

12
13 CHAIRMAN THOMAS: We don't have them?

14
15 MS. LeCORNU: No.

16
17 CHAIRMAN THOMAS: Okay. What we'll do, we'll suspense
18 with the minutes until later in the agenda, then, that way it
19 won't be so inconvenient.

20
21 MS. LeCORNU: Fine.

22
23 CHAIRMAN THOMAS: Just to help with the distribution of
24 them. Okay?

25
26 MS. LeCORNU: All right.

27
28 CHAIRMAN THOMAS: Okay. I didn't mean to be coming
29 down on anybody, I was just giving the Council a hard time. So
30 we'll suspend the minutes for now. We'll bring that up
31 possibly just before we get into -- well, we'll find a
32 comfortable place. Mim.

33
34 MS. ROBINSON: Where are the minutes?

35
36 CHAIRMAN THOMAS: Vicki has got them.

37
38 MS. ROBINSON: Oh, so we don't even have them here to
39 read? Okay.

40
41 MS. LeCORNU: I have handwritten ones.

42
43 MS. ROBINSON: I see.

44
45 CHAIRMAN THOMAS: We didn't get transcripts either,
46 oh, from the last ones?

47
48 MS. JORGENSEN: You received the transcripts.

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1 CHAIRMAN THOMAS: If I got one, you guys got one, too.

2

3 MS. JORGENSEN: No, Vicki suggested that I make copies
4 and send them out. She doesn't have them written up yet in a
5 format.

6

7 CHAIRMAN THOMAS: We'll deal with it. We make it
8 comfortable. We appreciate that.

9

10 This brings us then to a moment of silence in memory of
11 Roy Otten. I will now turn this portion over to Carol
12 Jorgensen.

13

14 MS. JORGENSEN: Thank you, Mr. Chairman. On all of the
15 regional councils, all ten of them, we'll have a moment of
16 silence for Roy, but I wanted to share a little bit more than
17 just having a moment of silence. Roy Otten's plane went down
18 two months ago, down between Elim and Shaktoolik. He was
19 coming from Kotzebue from a meeting. Roy was on the Seward
20 Peninsula Regional Council. Roy was -- I knew Roy and I knew
21 him fairly well, and he's my husband's cousin, but he was a
22 young man, very dedicated to service, hard working. He was the
23 head of his traditional council and a leader in his village.
24 And the plane went down, and they survived the plane crash but
25 they crawled over to huddle, and they weren't found in time and
26 they froze to death. They wrote on the snow that "Jesus is
27 love," that was their last message, and they were huddled
28 together when they were found. Roy was a real dedicated young
29 man. He left a wife with six kids. We'll have a moment of
30 silence.

31

32 (Pause for silence)

33

34 CHAIRMAN THOMAS: Thank you. Just to prevent us from
35 dealing with a past member in this process, we want to remind
36 ourselves that everybody travels in the same fashion. We're
37 all on small airplanes, were on big airplanes, on ferries, and
38 this is something that could happen at any time. In this
39 particular instance it happened in the Seward Peninsula, which
40 is way up north, and to some of us that's kind of removed. We
41 feel like it would have more of an impact if it happened in
42 this region, to somebody from this region, but we really need
43 to always maintain a sense of genus compassion and
44 acknowledgement for whoever we're involved with or whoever is a
45 part of our -- part of whatever we're trying to do, and we
46 appreciate your time and your silence. Thank you.

47

48 Committee Reports. Okay. Committee Reports puts me on
49 the docket first.

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2 In November there was a Federal Board meeting in
Anchorage, and several things happened prior to that meeting
And none of those actions really resulted in this region being
on that agenda for that meeting. So, there was a consideration
that there was no need for this region to be represented by
people that are responsible for logistics for travel and
lodging and this stuff. But since we're part of a scheme in
Alaska that has 10 regions, and in order to stay as informed as
we can, I pleaded with the chairman that I felt it really
necessary, whether or not we're on the agenda, that someone
from this region needs to be there to witness what's being said
and to who it was said to, what the responses were, and I was
able to convince them that that in fact was a valid request.
So they agreed to send me up, and I did attend.

16
17 Like I said, there wasn't anything on the agenda that
had to do with Southeast. The effected areas were the
Aleutians and Kodiak, Bristol Bay, I think the Northwest and
the Eastern Region and Southcentral -- Kenai, Ninilchik, that
area. Not all the regions had a spot on the agenda. I think
there was like four or five regions that were in attendance.
While we didn't have anything on the agenda, we were in this
process long enough to where we've established a camaraderie
between everybody that's involved in this federal scheme of
subsistence. So by virtue of that, I got to know the chairman
and the council, members from other regions, and was able to
help out in some of their articulations of representing their
proposals. And I'm convinced that we were of some help to them
in helping them achieve what they hoped to through the
deliberations at the board meeting. There was no injury to
anybody. I think we were able to establish a sense of
understanding; once we established understanding then support
was a lot easier to come by. And that was the sum of that one
day meeting in November.

36
37 So that concludes my report for that.
38

39 MS. JORGENSEN: Mr. Chairman, I'd just like, for
people's information, that the 10 regional council chairmen and
the vice chairs have been networking close together. Their
feeling is there is strength in numbers and they support each
other. And Bill is one of the leading chairmen that really
help when the Federal Subsistence Board meets. He assists and
gives some backing to other council chairs. So we're all kind
of aware of what's happening in each other's regions and can
keep everybody abreast, but he plays a major roll in that. And
I'm really glad that he insisted on going.

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1 CHAIRMAN THOMAS: Thank you, Carol. Okay. My agenda
2 leads Staff Committee Reports by attending Federal/State
3 agencies: National Park Service, the US Fish & Wildlife
4 Service, BIA, Forest Service, and Alaska Department of Fish &
5 Game. Let's try to be orderly about it. I don't know who is
6 all here. Is anybody here? Norm Howse, Mr. Howse, with the
7 Forest Service. Norm, would you identify yourself, please?

8

9 MR. HOWSE: Good morning. My name is Norm Howse. I'm
10 on the Federal Subsistence Board Staff and represent the Forest
11 Service on the Subsistence program for the Forest Service.
12 With me today, and for the remainder of a good part of the
13 meeting, I guess, I have Ken Thompson with me, and our able
14 assistant to your left there, Mr. Chairman, Carol. And also
15 our coordinators from the field units, Dale Kanen from Sitka,
16 Hank Newhouse, from Ketchikan, and Larry Roberts from
17 Petersburg. And they'll be here to answer questions on their
18 respective areas. But, again, let me say it's a pleasure to be
19 here with the Southeast Regional Council, again, Mr. Chairman
20 and elders. I'm real glad that we've been able to get this
21 meeting out of Juneau out to the field areas such as Hoonah,
22 and I know it will be a good meeting.

23

24 This is one of those rather historic days. I don't
25 know if you all know about it or not, but today is a rather
26 historic day for this council and for the whole program, I
27 think. The Ninth Circuit Court is meeting today in Seattle.
28 The three panel of judges will rule on Katy John lawsuit and to
29 hear the final oral arguments on that lawsuit. And it was
30 announced yesterday that the Ninth Circuit has denied the state
31 legislature's request to intervene in that lawsuit. So the
32 effort that the Governor made here about two weeks or a week
33 ago to pull part of that lawsuit back on the -- who has the
34 authority to manage the program which delve with did the
35 secretaries have the authority or did the state have the
36 authority, that part of it has been pulled back, apparently.
37 And the Ninth Circuit did not allow the the state legislature
38 to get in the way of that effort. That was announced last
39 night. So, it's a step forward, I think, in trying to reach
40 some level of understanding with the state. The Governor has
41 been back East meeting with the Secretary of the Interior,
42 Secretary of Agriculture, the President, and others, and
43 subsistence was on the agenda back here as well. So I suspect
44 there's always going to be some effort made to try to work with
45 the state in a much different environment than maybe had
46 happened in the past under the past administration, and the
47 door seems to be cracked open for some very positive
48 relationships to be developed. And the Governor has
49 orchestrated an effort in the last month or so, which has now
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been presented to him, and part of that effort is to establish a blue ribbon commission throughout the state that will look specifically at the subsistence issue and work in a federal/state relationship with the tribes in order to come to some resolution of how to deal with the rural Native questions in regard to a preference for subsistence. He is going to push, I think, very hard for a constitutional amendment, and I'm sure the Federal Subsistence Board is going to do whatever it has to do to try to accommodate his needs and try to work with him as close as possible. So, I guess, try to look ahead a little bit, trying to guess where we're headed. I don't think anything is going to change in the immediate near future, but with the Ninth Circuit Court coming to some final conclusion on Katy John here, very soon, As I mentioned, they're meeting today and they probably will have a report out, I would guess, sometime by April on a decision on the navigability question, and right or wrong, we'll work with that and with the state on trying to resolve some of our past problems.

20

21 Bill gave you an update on the last board meeting. In addition to that there was an executive board meeting held in December to try to reach some understanding of the customary and traditional use issue. As you know, that's an issue that's been evolving throughout all of the regional councils and the Staff Committee and the Federal Board, trying to figure out how we're going to approach the C & T determinations throughout the state. We've been working with the state -- previous state C & T determinations that were made a part of our regulations back in 1992, but we've also recognized that those were inadequate and needed to be adjusted and fixed to be brought into the current time schedule. And I think we're making some progress. I think we've changed some things. Bill has been very instrumental in participating in some of those discussions.

36

37 And Patty Phillips sent me a letter, a very nice letter that indicated her preference on C & T, and all of those things help, and it helps the Staff Committee to try to reach some level of understanding, and it has not been an easy issue. There's been quite a bit of disagreement within the Staff Committee on just how broad or how narrow it should be and the approach that we should be taking. I do think that at our last meeting here, must a month ago, that we did finally come to some level of understanding, that this was going to be a bottoms-up approach with the regional councils being involved in the process, and not a top down, bureaucratic approach coming from the various agencies, and I think that's a tremendous step forward. That's what we've been asking for for

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a long time, and I think we've finally gotten some recognition, that that's the approach that we should be taking, that the councils need to be involved.

4

5 So next Monday morning we're going to sit down with the Staff Committee and all of the council chairmen and the coordinators throughout the state -- Bill, he'll be there, and try to understand the very, very basics of how C & T was developed in regulation and law, and how we should proceed from here in a process that will keep the council's finger in how it should be done. And, again, I think that's the proper way to go on this whole issue, and we're going to welcome the council's involvement in this, very definitely.

14

15 The next day -- next Tuesday we will then meet individually with the Southcentral Regional Council and try to tackle the Kenai situation, and that's the one that's caused the furor, up to this point, that there has not been agreement on how that was done or how we should be doing that and how they should be approached as a sort of a standard that may show the way for the rest of the way for the state. And now that all the councils are involved, all are going to have a hand in helping craft the process. I think we'll have a unified consensus on where we're headed with this.

25

26 Again, it's been enjoyable working with the Southeast Regional Council, and you're probably, I would guess, one of the most -- if not the most active council in the whole system. And Bill has been a good provider of information to the board and continues to represent you very well. So, thank you very much.

32

33 CHAIRMAN THOMAS: Thank you, Norm.

34

35 MR. HOWSE: Anybody have any questions?

36

37 CHAIRMAN THOMAS: Questions? John.

38

39 MR. VALE: Yeah, Norm, appreciate your comments there. 40 have a -- maybe you could clarify for me, if you would. You spoke briefly about the Ninth Circuit Court and Katy John case and then the denial of the legislature being involved there. I know there were two different lawsuits that were involved here, as I understood it, and one was being dropped and the other one was still being -- you know, the Knowles' administration was still pushing forward. Could you kind of separate the differences there?

48

49 MR. HOWSE: Sure. There's a -- within Katy John

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there's a consolidated suit. There's about six or seven lawsuits in Katy John, one of which is the Alaska versus Babbitt lawsuit. That dealt strictly with the authority of the Secretary or the authority of the state to manage the program. That's the individual suit that was pulled back by the Governor. Yet as a part of the Katy John lawsuit there's Kluti Kaah, there's the North Slope Borough, Quinhagak, Beratovich, et al. There's a number of other suits that are all wrapped together in Katy John, and those will all be decided -- all the issues are very similar, having to do with navigable water issues and having to do with the authority issue. That's the "Who" question, and the "Where 1" question is the way some people talk about it, who has the authority to manage the program and where does it occur, what lands are involved. In this case, the Katy John lawsuit, as a total lawsuit, is still being heard. The part that has been pulled back is the state's portion of that, where they were suing the Secretary of the Interior over the Who question on who had the authority. The other lawsuits also still have some of that question remaining, but now that the state has pulled back out of that, that clears that somewhat off the table and allows the major question to be the Where 1 question, or the navigable waters question.

24

25 There's also two other parts that will be coming along
26 a later time, I think, called the Where 2 and Where 3
27 question. Those have to do with a petition now that has been
28 sent to the Secretaries of the Interior and Agriculture, as
29 related to Katy John. And Judge Holland, when he ruled on
30 Katy John, left open a question that he kind of encouraged the
31 Rural CAP attorney, Eric

32

33 CHAIRMAN THOMAS: Smith?

34

35 MR. HOWSE:Smith to do something about and left
36 the door open for the Department of Justice to respond, and
37 that is should the federal government extend jurisdiction off
38 public lands onto state and/or private lands in order to
39 assure that those animals that are on those lands that are a
40 part of the federal program have some subsistence protection.
41 In other words, an extension of federal jurisdiction, and
42 that's the Where 2. And the Where 3 is the extension onto the
43 State and Native lands that have been selected but not
44 conveyed. Up around Yakutat you've got a lot of that around
45 the Situk that are selected but not conveyed lands that we
46 don't operate in; they operate under state rules and
47 regulations, yet they're still federal lands. And part of that
48 Where 3 question is to extend federal jurisdiction to those
49 lands, bring those back into the program.

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2 Now, those two issues are in the request of a petition
3 to the Secretaries, and right now there's a Federal Register
4 Notice out that will ask for 60 days of public comment on those
5 - on that that petition. Following that then the Secretaries
6 will make a decision on rulemaking for that. And where that
7 will go, I don't know at this point, but that was another part
8 of the Katy John suit that Judge Holland did not speak to in
9 the initial lawsuit. So there's a whole bunch of issues, and
10 they're all kind of wrapped and intertwined within the
11 Katy John, broadbased, consolidated suit.

12
13 MR. VALE: That's helpful. Thanks a lot.

14
15 MR. HOWSE: Uh-huh (affirmative).

16
17 MR. VALE: One other question. I was wondering, I
18 don't know if we have a Staff report here that addresses this
19 or not, but I was wondering what the Forest Service has done
20 with our request to consider subsistence land use designations
21 in the TLMP process.

22
23 MR. HOWSE: Bob Bawd (ph) is here today, and he's
24 prepared, I believe, to talk about Tongass Land Management Plan
25 and some of the activities there, and I'd leave that to him.

26
27 MR. VALE: Okay, thanks.

28
29 MR. HOWSE: You're welcome.

30
31 CHAIRMAN THOMAS: Vicki.

32
33 MS. LeCORNUE: I have one question.

34
35 MR. HOWSE: Yes.

36
37 MS. LeCORNUE: The lawsuit with Katy John today, does
38 that include Kluti Kaah and others?

39
40 MR. HOWSE: Uh-huh (affirmative). They're all

41
42 MS. LeCORNUE: The jurisdictional issues?

43
44 MR. HOWSE: Yes. And that will all get -- those were
45 all consolidated by Judge Holland in the Katy John suit, and it
46 covers some of the very -- not identical but very similar
47 issues that can be spoken to once he establishes authorities
48 and where the program should reside, then it will take care of
49 some of those other lawsuits.

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1
2 MS. LeCORNUE: Thank you.
3
4 MR. HOWSE: It will be a pretty broad-based decision
when it finally comes out.
6
7 CHAIRMAN THOMAS: Patty.
8
9 MR. HOWSE: Patty.
10
11 MS. PHILLIPS: Mr. Chair. Norm, I was wondering, you
said there was going to be a 60-day comment period. I didn't
quite understand what that 60-day comment period was on.
14
15 MR. HOWSE: That's on the petition that Rural CAP sent
back to the Secretaries on the Where 2 and Where 3 question.
It's a petition for rulemaking that requests that the
Secretaries develop a set of federal rules in the Federal
Register that speaks to extending jurisdiction off of federal
public lands, and it's being put out to the public, for public
comment, and that's the decision on how they wanted to handle
it. And then they'll go through the 60 days of review, and
comments will be submitted, we'll review those and put them
together in some form, and make a recommendation to the
Secretaries on the next step. And that's -- if its not o the
street now, it should be very soon as a Federal Register
document, and we'll get it out to the Council.
28
29 CHAIRMAN THOMAS: Mim.
30
31 MS. ROBINSON: You said that was on Where 2 and
Where 3?
33
34 MR. HOWSE: Uh-huh (affirmative).
35
36 MS. ROBINSON: Okay. Also when -- just a little bit of
clarification here on the issue of the -- on the Who question.
When the Governor decided to pull out of that is that -- did
that basically make it that the state conceded that the federal
government has authority to decide subsistence, so the state
therefore would have to come into compliance?
42
43 MR. HOWSE: That's right.
44
45 MS. ROBINSON: Okay.
46
47 MR. HOWSE: It strengthens his hand to also move
towards some type of a constitutional amendment or something
that will
50

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1
2 MS. ROBINSON: That would put the pressure on the
3 legislature to come up with

4
5 MR. HOWSE: Bring the state back into compliance.
6 Exactly. The state -- that was part of the state appeal on
7 Katy John. The federal government didn't appeal that; they
8 appealed the navigable water question and said the reserved
9 water rights doctrine probably ought to be followed rather than
10 flood-based navigable waters. But we'll have to wait and see
11 what the Ninth Circuit says about that.

12
13 MR. DALTON: Mr. Chairman.

14
15 CHAIRMAN THOMAS: Richard.

16
17 MR. DALTON: Yes, Mr. Chairman. There are things that
18 kind of disturbs my mind when you make a platform regarding who
19 the owner of the waterways and the land. I believe fully,
20 myself, after carefully investigating to Manhattan, the United
21 Nations, and also to Congress, Washington, D.C. I fully asked
22 questions of United Nations to give me a treaty or a bill of
23 sale of state of Alaska to Russia. I have a full documentation
24 of Katy John here and also State of Alaska, Plaintiff,
25 Appellant Bruce Babbitt, Secretary, and it pertains to
26 Lincoln Peratovich. I think it appears that Clinton answered
27 Mr. Franklin James, White House, how he intends to work with
28 people. His intention was to work for indigenous who are
29 fighting for sovereign rights, and that's in the fishing
30 industry and hunting. And I've got to say that according to my
31 statement that I have drafted up, I'd like to say that as far
32 as this young man who was a Russian and studied law in Russia
33 and five different other universities in the the Lower 48,
34 there was no place in his documentation that he could find
35 whereby that the title belonged to Russia. That's under real
36 estate and property, land ownership, all the way to Aleutian
37 Chain. And the Aleutian Chain was fighting for this particular
38 portion of their land, and that's when they find that there was
39 such of a thing. So it kind of disturbs me when they say
40 federal owns this land and federal owns the waterways, or the
41 state owns the title to the waterways, so to speak. But it
42 seems to me that they've been ignoring who is the real title
43 owner of this particular portion of litigation they're fighting
44 for. I think we need to make ourselves clarified to what
45 people can understand, that we're still here and should be
46 consulted with.

47
48 Today they're having a meeting in Juneau on the
49 ecosystem. They want co-management. They want partnership in
50

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Glacier Bay. They should have been here today and asking
 Hoonah people about Glacier Bay, what we want -- who wants full
 management in Glacier Bay and the waterways. Thank you.

4
 5 CHAIRMAN THOMAS: Thank you, Richard. Are you
 6 quitting?

7
 8 MR. HOWSE: Thank you, Mr. Chairman.

9
 10 MS. ROBINSON: Before you go, your last comment there
 11 before Richard spoke there, you said something about an appeal?

12
 13 MR. HOWSE: Well, the Katy John lawsuit is under
 14 appeal, and that's what's being heard today

15
 16 MS. ROBINSON: Oh, okay.

17
 18 MR. HOWSE: in Seattle. And then they will issue
 19 their final decision, probably within a couple of months. So
 20 we could expect to hear something or have something in writing,
 21 probably in April or thereabouts, I guess.

22
 23 MS. ROBINSON: Okay. So what does that have to do with
 24 what was decided last night?

25
 26 MR. HOWSE: Last night the Ninth Circuit denied the
 27 legislature's request to intervene in that lawsuit.

28
 29 MS. ROBINSON: In the appeal?

30
 31 MR. HOWSE: Right.

32
 33 MS. ROBINSON: Okay, gotcha'.

34
 35 CHAIRMAN THOMAS: Thank you, Norm. For those of you
 36 who don't know Norm, Norm brought a lot of humbleness with him
 37 and he overdid it. Norm, I believe, is a big contributor to
 38 the efforts of subsistence. He represents the issues,
 39 represents the people in the communities while representing the
 40 agency he works for at the same time. He works very integral
 41 and very effective with the people he needs to. He's a good
 42 communicator and we really respect all his efforts and I want
 43 to thank him for that. Thank you, Norm.

44
 45 I don't like to really bad mouth anybody, but my good
 46 friend Robert Willis showed up fashionably late, and I didn't
 47 want him to get away with it and slide in here just like if you
 48 were on time, so raise your head, Robert, so we'll know who to
 49 blame. Thank you, Robert.

50

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1
2 MR. ANDERSON: Usually the late ones buy lunch for the
3 best of us.

4
5 MR. WILLIS: Sign my excuse, Bill.

6
7 CHAIRMAN THOMAS: Okay, we'll accept it. Under
8 Committee Reports, does anybody else have a report, anything in
9 terms of a report that reflects a committee function type? I'm
10 going to do this like the invitation dance, by the time I get
11 through I'm going to holler "everybody."

12
13 Another one that came in fashionably late but he brings
14 with him some royalty, standing way in the back is Ernie Jack,
15 he's the presiding member of Hoonah, he's also the first vice
16 president of the Grand Camp of the Alaska Native Brotherhood.
17 Welcome, Ernie, happy to see you. We're going to get to you
18 for a donation after while.

19
20 MR. JACK: Okay.

21
22 CHAIRMAN THOMAS: C & T Update; Rachel Mason.

23
24 MS. MASON: Thank you, Mr. Chairman. I'm Rachel Mason,
25 anthropologist with the Fish & Wildlife Service. I'm here to
26 tell you about customary and traditional use eligibility
27 determination, which is affectionately known as C & T.

28
29 CHAIRMAN THOMAS: Excuse me. We need more volume. I
30 see more people trying to expand their eardrums. Do we have a
31 knob that will give us more volume?

32
33 COURT REPORTER: Sure.

34
35 CHAIRMAN THOMAS: Some of our elders are really hard of
36 hearing, and I'm one of them.

37
38 MR. VALE: Mr. Chairman.

39
40 MS. MASON: Can everybody hear me now?

41
42 CHAIRMAN THOMAS: John.

43
44 MS. MASON: I'll try to shout loud.

45
46 CHAIRMAN THOMAS: Can you hear or not?

47
48 MR. VALE: I can hear good. I just had a quick
49 question for maybe Carol or yourself. Since we have an agenda
50

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Here we're following, I was just wondering when we might be getting those agency reports on the other ones that are listed on here.

CHAIRMAN THOMAS: Sometime. That's what I said, they didn't fall under Committee Reports or Agency Reports, so it will come under everybody later on.

MR. VALE: Okay.

CHAIRMAN THOMAS: Can everybody in the audience hear now? Is anybody in the audience listening? Okay, go ahead, Rachel.

MS. MASON: I'll tell you right now, there is no Fish and Wildlife Service Report, but I will take the place of it through this C & T update, but I also wanted to mention that, as Mr. Chairman pointed out, Robert Willis is here, he's a biologist for US Fish & Wildlife Service. Also Gloria Maschmeyer is here, working as a recorder for this meeting.

All right. What I want to do, and I hope I won't repeat too much on what Norm Howse just told you is to give you an update on what's going on with the Kenai and the Upper Tanana C & T determinations. Those two studies are now in the final phases and they were done in slightly different ways, by different agencies. Fish & Wildlife Service took the lead on the Kenai C & T; and the National Park Service took the lead on the Upper Tanana one. Both of them have now been passed on through the one board meeting and they have not yet been resolved. The C & T review of the Kenai Peninsula was given high priority, to begin with, because the Kenaitze court decision in 1988 had established rural status in that area, and the state had never addressed C & T issues there. There were also several requests -- very strong requests for review from local communities, particularly a Ninilchik Traditional Council request for subsistence hunting seasons on caribou and moose in Unit 15.

As you know, the Kenai Peninsula poses some complex problems and many of them are shared with Southeast Alaska. Some of these complicating factors are that some communities are recent or else they have a highly transient population. Some of the communities are segmented with one portion having very long-term residents, continuity with Native traditions and high reliance on local resources, and another portion of the community being made up of recent immigrants to the area or lower residents with different economic circumstances. So it

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raises the question of what to do with sub-communities, how much of the community has to be a long-term resident before you declare the whole community eligible.

4

5 There is one aspect of the Kenai Peninsula that doesn't apply so much to Southeast and that is that on the Kenai some communities are removed to federal public lands, even though they are longstanding communities. And that isn't a problem here because almost everything is federal land in this area.

10

11 The other regional councils have been concerned about the Kenai Peninsula C & T because of its precedent value. It was the first one to be done, so it has implications for other areas. First, the Kenai C & T schedule was delayed for six months, and a working session on the C & T eligibility determinations was held with the regional council chairs back in April 1994. And also the Fish & Wildlife Service supported a delay because of the question of a federal management of subsistence fisheries that is now being addressed in a Maty John case.

21

22 With the Upper Tanana Basin C & T the National Park Service was the lead agency. And they released a draft compilation of information on five communities for public and agency review in January 1994. In contrast to the Kenai C & T, the National Park Service offered a single set of conclusions for the Upper Tanana C & T, rather than Alternatives A, B and C which was in the Kenai report. Another difference between the two reports is that the methods used in the Upper Tanana C & T included a more detailed statistical exploration of the similarities and differences between communities and the harvest patterns.

33

34 The Park Service looked at communities whereas Fish & Wildlife Service looked at management units. The Upper Tanana Basin review also poses some challenges that are similar to the Kenai Peninsula because these are mainly road system communities, and there's, again, the question of sub-communities, what do you do when there are enclaves within a larger community with new arrivals being another part of the community.

42

43 Okay, what's gone on with these reports is this: The Federal Subsistence Board was supposed to consider both of the Kenai Peninsula and the Upper Tanana reports during their November meeting. The Staff Committee met prior to that meeting on November 1 or 2 and 3 to decide what to recommend to the board. The Kenai C & T Fish & Wildlife Service had decided on a recommendation that was slightly different from either

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Alternatives A, B and C, and those alternatives were most restrictive with C and least restrictive with A. The recommendation was that there be no positive C & T determination automatically in any community on the Kenai Peninsula but that it would go by individual applications and there would be a presumption of acceptance for tribal members in it. At the Staff Committee meeting some members disagreed very strongly with this recommendation. Within the Forest Service there was concern, as Mr. Howse has just indicated, that the application of a similar rule in Southeast Alaska would result in most of the population being excluded. And at the same time the solicitor raised some concern -- or the Solicitor's Office raised some questions about the validity of the whole C & T process.

15

16 Using the Kenaitze decision as a model, Keith Goltz argued that the only reason to do a C & T eligibility study would be if there was a scarcity of a resource, and in the past this has been resolved by the state with a Tier II hunt. It's also known as a Section 804 hunt. One of the arguments in question is whether or not it was Congress's intent in Title VIII of ANILCA for C & T to be used as an eligibility screen for users. One side in this argument says that C & T should be used to distinguish among uses rather than users, and this formulation then Tier II would be used in situations where the subsistence uses by rural residents wouldn't be accommodated in what is called a Tier I, and that's the eligibility screen. Because there could be no agreement in the Staff Committee the board meeting of November 4 declined to rule on it and they tossed it back to the Staff Committee again. Meanwhile, Tom Boyd, of the Bureau of Land Management has worked to draft what's now being called the "Boydian Hypothesis," which is a more middle of the road standard. And he suggested some principles as a basis for discussion. And because these are going to be discussed at the upcoming meeting, I think it's important that you know what those principles are.

38

39 So, I'll just briefly read to you what his principles of discussion are:

41

42 One is that C & T is important at the first level of eligibility, it should be used to define uses and not necessarily as an eligibility screen. Second, initial eligibility should be as broad as possible. Third, the C & T process should be part of the Subpart D process. Four, don't make dramatic shifts in the ongoing C & T projects, and this includes the Upper Tanana and Kenai Peninsula. And, fifth, the terms "community" and "area" should be interpreted broadly.

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1
2 The Staff Committee met again on January 12. At that
point Boyd presented his view, and the committee decided to
meet with the council chairs on February 13 and 14. This is
also a result of the fact that there's been a lot of concern
which was expressed at the Staff Committee meeting that the
regional councils needed to be more involved in the C & T
eligibility process, and, therefore, there is going to be a
meeting on the first day, February 13, with the regional chairs
and coordinators which will be devoted to the C & T process in
general. And the second day will be a day FACA meeting with
the public invited, also in which the Kenai C & T will be
specifically discussed.

14
15 Meanwhile, with the Tanana C & T, the -- as I said, the
final report was released in January '94, but in October,
Alternative B was released, and this was developed by the
regional councils, or at the request of the Eastern Interior
Regional Council, although the Southcentral Council has also
been involved. So, in the new alternative, when people hunt
they hunt for more than one species. This is -- it takes
account of that, so, in any area if there's evidence that they
additionally used the area, then C & T for one species in the
unit grants C & T for other species in that unit.

25
26 A third alternative has been proposed by TCC, and it
will probably come to the regional council. Tanana Chiefs is
the agency that has proposed it. And this constitutes a
resolution to consider Tetlin, Tanacross, Northway and Dot Lake
together as a whole instead of by community. And also like
Alternative B, all the species are considered together.

32
33 On the Upper Tanana C & T the board is expected to act
by April, and then the 60-day comment period would follow.
And I've passed out to you an updated schedule of the updated
Tanana -- Upper Tanana C & T, as well as just for your
reference the eight factors that have been used in the
eligibility determinations. So I hope this doesn't just add
more information to the process, but I'll stop here and see if
there are any questions that I might be able to answer.

41
42 CHAIRMAN THOMAS: Before we go into questions, I'm
really struggling with the sound system. I would like, if we
can get the sound system to blare, I'd rather have it blare
than to struggle hearing it. Is it possible to do that? Is
that any louder?

47
48 MS. MASON: Can everybody hear me? Hello.

49
50

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1 CHAIRMAN THOMAS: Okay. You've got to have it just so
 2 the plaque touches the mike.

3
 4 MS. MASON: Okay. Any questions?

5
 6 CHAIRMAN THOMAS: John.

7
 8 MR. VALE: Could you describe for me again, briefly,
 9 the purpose of the chairs getting together on the 13th here?

10
 11 MS. MASON: At the last Staff Committee meeting there
 12 was some concern that there had not been enough involvement
 13 by -- enough local involvement and hence the regional councils
 14 involvement in the C & T process. And so this is what
 15 Norm Howse referred to as the bottom up approach that was --
 16 that there was concern expressed for, and for that reason the
 17 Staff Committee is meeting with the council chairs as well as
 18 the regional coordinators.

19
 20 MR. VALE: Okay, thanks. And one other thing. You
 21 provided us a lot of information there, which I found real
 22 interesting, and I was wondering if we could get a copy of your
 23 report there?

24
 25 MS. MASON: Sure.

26
 27 MR. VALE: 'Cause I can't take notes fast enough to
 28 keep track of all that.

29
 30 MS. MASON: It's in a very crude form, but I will be
 31 happy to supply it to the council members, once I get it
 32 copied.

33
 34 MR. VALE: Thanks.

35
 36 CHAIRMAN THOMAS: Well, that was a crude question so
 37 what will be good form. Further questions? Mim.

38
 39 MS. ROBINSON: Of course. Let's see. From what I --
 40 the only thing I have written down here that -- from what I got
 41 from what you were saying there that really applies to us is
 42 communities and what to do with some of the communities, that
 43 that's where some of the major overlap is that would apply to
 44 Southeast C & T. Is that an accurate assumption?

45
 46 MS. MASON: That is an accurate assumption. The types
 47 of communities are similar between Southeast and the Kenai
 48 Peninsula in that there are enclaves of long-term residents as
 49 opposed to newer residents in this area. So there is not -- it
 50

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Has not yet been settled how to deal with that issue of how long-term do you have to

3

4

CHAIRMAN THOMAS: Could you talk into your mike?

5

6

MS. MASON: How long-term do you have to be before you are considered a long-term resident, and how many of those long-term residents do there have to be in a community before that community is considered that. And so that is one of the issues that will still have to be resolved.

11

12

MS. ROBINSON: And so as far as you know, there are no other issues that the Kenai is looking at that apply to Southeast? I mean the community issue is the major thing that affects us?

16

17

MS. MASON: That is the main one that is shared. In fact, that's it, what I can think of.

19

20

MS. ROBINSON: That's helpful.

21

22

MR. DALTON: Mr. Chairman.

23

24

CHAIRMAN THOMAS: Richard.

25

26

MR. DALTON: You know, I was invited to go subsistence fishing in Kenai and a couple other rivers. I'll tell you, I wouldn't have enough elbow room to cast my line over, all along that river. And then, all of a sudden I seen some beautiful aluminum skiffs coming down that river. Is there a problem between the communication of local people with people that drive in from Canada and stuff like that? I think it's more of a transient problem that arises with those people in Kenai. I don't think they were local people because I didn't see very many of 'em. I tried to take a mental survey of them myself to see what kind -- I mean where they were from, you know. And some of 'em said they were from Idaho and Washington, Oregon, and stuff like that, you know. That was kind of disturbing to me that they would be out there more as a sport fisher than a subsistence user. They had beautiful boats and beautiful rods and it's a -- must be a little competition there some place whereby the local people would be faced with that particular river for that type of species that so many thousands of fish might be taken. Is this what I'm hearing or is it different?

45

46

MS. MASON: I know that that's what the Kenai is known for, but I can't speak to -- I don't understand your question.

48

49

MR. DALTON: Is that the problem the local people in

50

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Kenai are having with the transient people that comes in and drifts in and they drift back out? I know that in Haines that it was that way for sometime until some regulatory bases took place.

5

6 MS. MASON: Yeah, I can't speak for the

7

8 CHAIRMAN THOMAS: I think it's the same problem. Anytime you've got a road system coming into a popular fishing area you're going to have an onslaught of people from -- whoever can get there by road.

12

13 MS. MASON: Yeah.

14

15 CHAIRMAN THOMAS: So, yeah, the problem with Kenai is very similar to that of Haines.

17

18 For those in the audience that didn't follow the discussion, C & T stands for customary and tradition. Part of the bureaucratic process in working with subsistence so that they're comfortable in what they feel as being properly managed, customary and traditional determinations are going to have to be made in each region. So far, Kenai, if I remember right, and Richard will correct me if I'm in error with my information.

26

27 We have a packet of comments and procedures that occurred up in the Interior with Tok and that area. So far they've had a recommendation, and Kenai hasn't reached that yet.

31

32 MS. MASON: No, it has not. Kenai is more

33

34 CHAIRMAN THOMAS: Kenai has been postponed.

35

36 MS. MASON: That's correct.

37

38 CHAIRMAN THOMAS: Okay, that's true because I was part of the process that requested that agenda item be removed from the meeting in November so that the chairs from the regions could be more involved, and the reason being is that we believe that whatever is determined initially, no matter where it's at, is going to have long-lasting implications in their regions. So we want to be there to make sure that those implications are going to be compatible with the respective regions. So, customary and tradition is another part of consideration for subsistence. I just want to make that as clear as I can to some of the audience, and if you have further questions on that, don't hesitate to ask during our breaks to talk to

50

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3 somebody. If nothing else, we can get you some short reading
 4 material on it, but we want to do all we can to inform you the
 5 best we know how with what's happening in this process.

6 Any further questions for Rachel? Thank you very much.

7 MS. MASON: Thank you, Mr. Chairman..

8 MR. VALE: Mr. Chairman.

9 CHAIRMAN THOMAS: John.

10 MR. VALE: Before we get off this subject

11 CHAIRMAN THOMAS: We're already off of it.

12 MR. VALE: I think when the Chair is getting together
 13 at Anchorage here, after this meeting, and talking about the
 14 C9& T process here that it would be beneficial to the council
 15 here if we had a discussion, a little bit, about that process
 16 and the work that the chairs will be addressing, and I have a
 17 comment to follow-up on that.

18 CHAIRMAN THOMAS: We intend to do that.

19 MR. VALE: Okay.

20 CHAIRMAN THOMAS: I didn't intend to do it, but I do
 21 now. Okay. Annual report, I'll turn this over to Carol.

22 MS. WILSON: This is the time for the reports from all
 23 the agencies, the federal and state, and we've had reports from
 24 so far. Are we going to have any more reports?

25 CHAIRMAN THOMAS: If they had reports they would have
 26 brought them forth.

27 MS. WILSON: I can't believe that they don't have a
 28 report.

29 CHAIRMAN THOMAS: They'll be at different parts of the
 30 agenda.

31 MS. WILSON: Oh, okay.

32 MR. SUMMERS: Clarence Summers, with the National Park
 33 Service. I just have maybe one or two items.

34 CHAIRMAN THOMAS: Come on down.

35

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1
2 MR. SUMMERS: Thank you.
3
4 COURT REPORTER: I didn't hear your name, sir.
5
6 MR. SUMMERS: Clarence Summers; S-u-m-m-e-r-s, National
Park Service, Regional Office. I want to thank you for giving
me an opportunity to cover -- I think I have two items here of
importance.
10
11 MS. PHILLIPS: Speak closer to the mike, please.
12
13 MR. SUMMERS: Certainly. How is that? After a
preliminary analysis we've looked at the proposals that are
before you in the proposal booklet, and it's our position that
as I understand it, that we're in support of Proposals 2 and
47 And I'm sure you're familiar with the proposals that I'm
referring to. And I'll move on to say that Mr. Jim Brady is
the new superintendent at Glacier Bay National Park and
Preserve. Unfortunately, he isn't here today. I guess he's in
Anchorage attending a special briefing and conference with the
Regional director and with some of the other superintendents
from around the state, and he plans to hopefully spend some
time with you in the near future at some point, hopefully
before your next meeting.
26
27 That's all I have for you today at this time.
28
29 CHAIRMAN THOMAS: Okay. Well, we thank you. And
you'll be here for the duration?
31
32 MR. SUMMERS: That's correct. I'll be available for
questions that are specific to the National Park Service and,
hopefully, if I can't accommodate you directly, as far as
providing the answer or reply, I'll get back to you after
consultation with our regional office.
37
38 CHAIRMAN THOMAS: Questions anybody? John.
39
40 MR. VALE: Excuse me. Not for Clarence, no.
41
42 CHAIRMAN THOMAS: Okay. Thank you. John.
43
44 MR. VALE: I -- just a question for you, Mr. Chairman.
When will we take up that discussion on the customary and
additional use process; is now the appropriate time or will
that happen later?
48
49 CHAIRMAN THOMAS: No, after. It will be later, I just
50

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don't know when yet.

2

3 MR. VALE: Okay.

4

5 CHAIRMAN THOMAS: When I have the least attendance is
when I'm going to do it, John.

7

8 MS. ROBINSON: This might be it now.

9

10 CHAIRMAN THOMAS: Is there anyone else from the
agencies that have anything in the line of a report? Please do
so now if you do, because you make the chairman look bad if you
don't come forward now. Okay.

14

15 Back to our Annual Report. John.

16

17 JOHN (from the audience): Yeah. I submitted to the
board on the water (indiscernible) a year ago and I am just
wondering, do you prepare a response to that or are we going to
receive a report or whether it's oral or written or a review of
the data that provides it?

22

23 CHAIRMAN THOMAS: That would probably come from the
board level. Yeah, I'll look into it. We're just a messenger,
so that would be my assumption, and I'll be glad to offer them
a reminder. You bet.

27

28 Anyone else? Okay, Carol.

29

30 MS. JORGENSEN: Thank you, Mr. Chairman. Last night I
was just faxed down the answer to the first Annual Report. You
submitted your first Annual Report to the Honorable
Bruce Babbitt, Secretary of the Interior, and the Honorable
Mike Espe, Secretary of Agriculture on November 26, 1993. And
what I copied last night or just this morning and handed out is
dated February 2, 1995. You have it in your packet and there's
copies back there, but if you would like me to read the letter,
I'd be glad to do that. This is the response to the Annual
Report.

40

41 Before I go into that, if you wish me to read it -- on
the other, the next annual report is due this fall, and I've
been keeping a tab on different issues from other board
meetings that we've held, the last board meeting, but what we
will do is put out in draft to the council, the next month
after this meeting, issues and concerns that we want in our
annual report. And then when that's finished this spring,
we'll put it into final and submit it for this fall's Annual
Report. The coordinators were prepared to do an Annual Report,

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and especially based on our last meeting, and we were told by
 OS Fish & Wildlife that next Annual Report would incorporate
 this meeting also and the concerns in the proposals and issues.
 So the next one is due this fall. If you would like me to
 read this response, I can, or if you would just like to read it
 yourself, I can do that -- let you do that.

CHAIRMAN THOMAS: I'd like you to read it.

MS. JORGENSEN: Okay.

CHAIRMAN THOMAS: The chairman is illiterate.

MS. JORGENSEN: Okay. It's addressed to:

"Mr. Bill Thomas, Chairman, Southeast Regional
 Advisory Council, Juneau.

Dear Mr. Thomas:

This letter is in response to the Southeast Regional
 Advisory Council's first annual report, submitted November 26,
 1993. I apologize that the response to the annual report has
 been delayed this long. At its October 1993 meeting the
 Council identified a number of issues that were incorporated in
 our annual report.

The first issue raised in the annual report concerned
 the taking of fish and wildlife for subsistence purposes by
 residents of Hoonah and the surrounding communities within
 Glacier Bay National Park. I understand that the National Park
 Service responded to this concern in a letter to you dated
 January, 7, 1994. The National Park Service has indicated it
 is discussing ways to accommodate the request of the Hoonah
 Tribe within the framework of existing statutes and
 regulations. Additionally, I understand that Senator
 Frank Murkowski and Congressman Don Young have introduced
 Federal legislation that authorizes expanded fishing and
 gathering uses in Glacier Bay National Park under the
 provisions of Title VIII of the Alaska National Interests Land
 Conservation Act, ANILCA.

Also in the reference to Glacier Bay National Park,
 our annual report discussed a comprehensive plan for
 partnership management involving the State of Alaska, the
 Federal Government and the Hoonah Tribal Traditional Council.
 The plan was submitted by the Hoonah Tribal Traditional Council
 at the Council's October 1993 meeting. I appreciate the
 concerns and solutions presented in this document provided by

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the Hoonah Traditional Tribal Council, and I encourage continued dialogue among the Hoonah Tribal Traditional Council, local government entities, and State and Federal resource management agencies.

5

6 The annual report noted that the Council is concerned about the loss of important subsistence resource habitat due to the land activities. This is an ongoing issue that must be dealt with among all resource agencies, private land owners, and the public. It is important that the Council continue to play an active role in identifying and reporting these concerns and that the various entities, mentioned above, work together to protect Alaska's rich and diverse resources.

14

15 The annual report also raised the issue of jurisdiction over navigable waters. Jurisdiction over fisheries in navigable waters is currently being litigated in the Katy John Court case. The US District Court for the District of Alaska issued an order in March 1994 stating that the Federal Government has jurisdiction over subsistence fisheries management for the purposes of Title VIII of ANILCA. The District Court's order has been appealed to the Ninth Circuit Court of Appeals. Pending the outcome of the appeal, the District Court's decision has been stayed. Consequently, until the Ninth Circuit Court of Appeals issues an order in the Katy John case, the Federal Subsistence Board will not assume responsibility for subsistence management of fisheries in navigable waters, except in those waters listed in regulations published May 29, 1992.

30

31 The annual report mentions that the Council has submitted several proposals involving designated hunter permitting. The Kodiak-Aleutians Regional Council also submitted proposals involving designated hunter permitting. Alternative means of harvest permitting, including designated hunter permitting, affects all of the subsistence resource regions. Consequently a task force comprised of key federal staff and council representatives from each region has been established. The purpose of the task force was to develop alternatives to the individual-based harvest regime that is currently in the basis for regulating most subsistence harvest. The culmination of the task force's work was a report identifying four alternatives for regulating subsistence harvest. Two of the options, known as tribal management option and the local subsistence management option are currently outside the board's purview. Federal staff are pursuing these two options with departmental staff in Washington, DC. The other two options, known as the designated hunter option and the community bag limit option, will be considered by the Board

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When it addresses proposals for the changes to 1995/96 Subpart D regulations during its April 10 through 14, 1995, meeting. Three of the proposals would provide designated hunter opportunities. One for deer in Units 1 through 4, one for deer in Unit 8, and one for moose in Unit 5.

Your annual report requested the Board to review all customary and traditional use determinations for all subsistence species. In July 1994 the Board issued a Federal Register notice outlining its proposed schedule and priorities for reviewing customary and traditional use determinations. As you may know, several policy issues concerning the role of customary and traditional use determinations have recently arisen. Resolution of these issues may affect the Board's proposed schedule and priorities for conducting customary and traditional use determinations. These issues will be discussed at a joint meeting of the Federal Subsistence Staff Committee and representatives from each of the 10 regions. The meeting will be held in Anchorage on February 13, 1995. These issues will also be discussed at the council's February 8 through 10, 1995 meeting in Hoonah.

Several of the council's comments concerned issues that involved resources that are harvested in navigable waters and are thus outside the Board's jurisdiction. These issues include management of herring roe on kelp, and commercial fishing of sea cucumber, abalone, and seaweed. I encourage you to make your concerns about these issues known to the Alaska Department of Fish & Game. Additionally, I understand the Council discussed the need to establish buffer zones to protect spawning habitat. As with navigable waters, this issue is outside the board's purview. I understand the Forest Service will have representatives available to discuss this issue at your February 8 through 10 meeting.

The Council also expressed concern about confusion between Federal and State regulations. This is a problem that frustrates all of us, but it seems to be an inevitable consequence of dual management. Please be assured that we are working diligently in cooperation with the state to reduce the confusion as much as possible.

Based upon the comments made in your annual report, it appears that the Council explored a great deal of territory in its first meeting. You have invested much effort in and commitment to these issues, and I speak for the entire board in extending our appreciation to you. I look forward to continuing our dialogue.

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1 Sincerely," and it was signed by Dave Allen, who is
 2 Acting Chair of the Subsistence Board. Someone signed for
 3 Dave Allen.

4
 5 CHAIRMAN THOMAS: Thank you, Carol.

6
 7 MS. ROBINSON: Question.

8
 9 CHAIRMAN THOMAS: Mim.

10
 11 MS. ROBINSON: Carol, is this the report we were
 12 talking about last night that was passed on to you to deal
 13 with?

14
 15 MS. JORGENSEN: Yes.

16
 17 MS. ROBINSON: Okay. From what Carol was saying, the
 18 Federal Subsistence Board passed the buck and asked Carol to
 19 write this report to the Council, which I find really
 20 appalling, and it really irks me that the -- I mean even way
 21 back when the old regional council was existing we could never
 22 get responses to our reports, and now it's continuing. And I
 23 don't think we should put up with it. I think that the council
 24 should respond in some way. It is absurd that our coordinator
 25 submits the report and then responds to it. I mean, come on.
 26 just -- she did a very good job, by the way, you know, I
 27 think it's an excellent report, but, I mean, it's not her --
 28 she shouldn't be answering it. So, I don't know if anyone has
 29 any ideas on how we want to deal with this, so I don't think we
 30 should just let it go. I think we should put our foot down and
 31 I mean, there's only but 10 councils in the state. You'd
 32 think that they could deal with that and treat us with some
 33 courtesy and respect and respond to our reports.

34
 35 MS. WILSON: Mr. Chairman.

36
 37 CHAIRMAN THOMAS: Is that an action item or a comment?

38
 39 MS. ROBINSON: I'm looking for an action item. I want
 40 get some other responses from the council members.

41
 42 CHAIRMAN THOMAS: Marilyn.

43
 44 MS. WILSON: Yeah, Mr. Chairman, I think we should
 45 bring this up on the agenda sometime, either right now or in
 46 the future. I'm pretty sure some of us have some ideas on how
 47 deal with this and to make something right.

48
 49 CHAIRMAN THOMAS: Does someone want to offer a motion?

50

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1 John.

2

3 MR. VALE: A question first. Carol, did you draft this
4 up on behalf of the Federal Board? What's the deal there?

5

6 MS. JORGENSEN: A month ago, yeah, I drafted it up, but
7 I did notice, as I was reading it, there are definitely some
8 expounding on it, and it went through a review process. So
9 it's -- there's been some additions to it in response to -- in
10 more detail to some of the issues.

11

12 MR. VALE: Okay, thanks. And I guess I'll follow-up
13 with a comment in that, you know, in Title VIII, 805 mandates
14 that we submit an annual report identifying uses and needs and
15 recommended strategies, and it specifically states that that
16 report goes to the Secretary of the Interior, and so it's my
17 feeling that the response -- if he wants to delegate that to
18 the Federal Subsistence Board and their staff then maybe that's
19 acceptable, but I think that that -- either his office or the
20 other is where our response should come from.

21

22 CHAIRMAN THOMAS: If we're going to continue discussion
23 on this matter, we will have to offer a motion to do so first,
24 otherwise we'll move on to another item.

25

26 MS. ROBINSON: I'll make a motion.

27

28 MR. FELLER: I'll second that, Mr. Chairman.

29

30 CHAIRMAN THOMAS: You heard the motion

31

32 MS. ROBINSON: My motion would be to write a letter to
33 the Secretary about this -- about the Annual Report and the
34 fact that it is not being responded to properly and that we
35 would like to see that rectified in the future, something to
36 that effect.

37

38 MR. ANDERSON: That we don't think our coordinator
39 should be responding to the

40

41 MS. ROBINSON: Can't hear you.

42

43 MR. ANDERSON: That we don't think our coordinator
44 should have

45

46 MS. ROBINSON: Right.

47

48 MR. ANDERSON: the responsibility.

49

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1 MS. ROBINSON: The coordinator should not be delegated
 2 the responsibility to answer the

3
 4 CHAIRMAN THOMAS: Let's try this again. We'll offer a
 5 motion and then we have a discussion part to the motion, and if
 6 I can't remember the context of a motion we've got to do it
 7 over again. I can't remember that. You said let's write a
 8 letter

9
 10 MS. ROBINSON: Let's write a letter.

11
 12 CHAIRMAN THOMAS: Write a letter, comes through the
 13 coordinator

14
 15 MS. ROBINSON: To the Secretary saying that we object
 16 to the

17
 18 CHAIRMAN THOMAS: regarding the annual report.

19
 20 MS. ROBINSON: Yes. And how it's being dealt with --
 21 how the response

22
 23 CHAIRMAN THOMAS: That's under discussion. Now you're
 24 getting into the discussion part.

25
 26 MS. ROBINSON: I think John seconded something here.

27
 28 MR. FELLER: Yes, I seconded it before.

29
 30 CHAIRMAN THOMAS: Okay, we're not going to second the
 31 discussion. You're seconding the motion.

32
 33 MS. ROBINSON: Oh.

34
 35 MR. FELLER: I'll do the same thing. Mr. Chairman,
 36 I'll second the motion.

37
 38 CHAIRMAN THOMAS: Okay, thank you. So the motion
 39 should read then that this council send a letter to the
 40 Secretary of Interior with regard to objecting to the
 41 delegation of the report to the coordinators?

42
 43 MS. JORGENSEN: Uh-huh.

44
 45 CHAIRMAN THOMAS: The motion should reflect what we
 46 want to do.

47
 48 MS. ROBINSON: The basic thought here is we don't think
 49 that our coordinator should be writing the response to the

50

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1 reports.

2

3 CHAIRMAN THOMAS: That's right.

4

5 MS. ROBINSON: That's the thrust of it. So that's what
6 the letter should be dealing with.

7

8 CHAIRMAN THOMAS: What I'm trying to get is a motion
9 that looks like a motion.

10

11 MS. ROBINSON: I thought I said it earlier, but

12

13 CHAIRMAN THOMAS: Yeah, but it doesn't look like a
14 motion. That's real cumbersome, it takes away from discussion.

15

16 MR. VALE: I'm not sure where we're at. I think just a
17 motion about we should draft a letter to the Secretary about
18 this situation, that it's inadequate.

19

20 CHAIRMAN THOMAS: Yes.

21

22 MR. VALE: We don't need to get into the coordinator or
23 anything like -- that can be part of our discussion about the
24 letter.

25

26 CHAIRMAN THOMAS: Exactly.

27

28 MS. ROBINSON: So long as the discussion that we're
29 having now clarifies what the letter will be dealing with.

30

31 CHAIRMAN THOMAS: Okay. So now we're on the discussion
32 part of the motion.

33

34 MS. WILSON: Question.

35

36 CHAIRMAN THOMAS: John.

37

38 MR. VALE: Well, I think that the motion is a good
39 motion and that the Secretary is a good means of dealing with
40 the concerns that are expressed here, and I would suggest that
41 we form a little work group or session at some point during
42 this meeting to draft up that letter, and that's all I have.

43

44 CHAIRMAN THOMAS: Okay. After we take action on this
45 we'll pull the committee together. Any further discussion?

46

47 MS. ROBINSON: Question.

48

49 MR. ANDERSON: Question. Carol's link in the chain of

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Command here, is that part of her duties to respond to our reports?

3

4 CHAIRMAN THOMAS: No.

5

6 MR. ANDERSON: Okay.

7

8 CHAIRMAN THOMAS: No. Patty.

9

10 MS. PHILLIPS: Mr. Chair, this response to our Annual Report to me is kind of like a gloss-over. When we submitted our report we wanted to start seeing some action happening, and when they talk about, I encourage continued dialogue among the Hoonah Tribal Traditional Council, local government entities and state

16

17 CHAIRMAN THOMAS: Just a minute. The discussion is not relevant to the motion. The motion is that we write a letter so that we don't end up doing our own reports and our own responses. We're not talking about the contents of the letter, we're talking about the responsibility of writing the letter.

22

23 MS. PHILLIPS: Well, if they

24

25 CHAIRMAN THOMAS: That's still out of order, Patty.

26

27 MS. PHILLIPS: I'm sorry. When do I get to say it then?

29

30 CHAIRMAN THOMAS: After we vote on the motion.

31

32 MS. PHILLIPS: Question.

33

34 CHAIRMAN THOMAS: You've got to say it in a nicer tone.

35

36 MS. PHILLIPS: Question, Mr. Chair.

37

38 CHAIRMAN THOMAS: Question's been called for. All those in favor, say aye.

40

41 IN UNISON: Aye.

42

43 CHAIRMAN THOMAS: Opposed?

44

45 (No opposing responses)

46

47 CHAIRMAN THOMAS: Okay. The chair now will recognize Patty Phillips for comments regarding the Annual Report.

49

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1 MS. PHILLIPS: Thank you, Mr. Chair. When I -- I get
 all worked up and I get all emotional, and this is the way I
 articulate, but I really feel like the feds ought to come out
 with something more -- with more action rather than telling us
 to continue dialogue. How long do we have to have dialogue?
 How many centuries is there going to be involved in dialogue?
 Let's get some real action going out here. Let's get some ad
 hoc committees going. I want to see somebody at the top taking
 some action. We bubbled up our ideas, folks, now come on, let's
 get some action going.

11
 12 MS. ROBINSON: Mr. Chair.

13
 14 CHAIRMAN THOMAS: Just a minute. Any response to
 Patty's comments with action? I'm really proud to remind you
 that the efforts that we as a council have put together since
 we began have taken ideas from the communities of Southeast,
 discussed them here at this forum, came up with
 recommendations, taken them to the Federal Board for their
 consideration. The Board has acted positively, which means
 they supported all of the recommendations that were brought
 from this region, and those recommendations have been forwarded
 for approval, and in some cases have become part of the
 regulation, so there has been action.

25
 26 MS. PHILLIPS: There has been.

27
 28 CHAIRMAN THOMAS: Our charge is limited. Right now
 we're limited to bag limits and seasons. And I share the
 frustrations but this forum has been progressive and productive
 so far. I think our diligence will make it more attractive to
 everybody involved as we continue to be at least as productive,
 and hopefully more productive. But I just wanted to remind you
 that we have in fact been active and getting results.

35
 36 MS. PHILLIPS: Thank you, Mr. Chair. I acknowledge
 your statement.

38
 39 CHAIRMAN THOMAS: You're welcome. John.

40
 41 MR. VALE: Yes, Mr. Chairman, we're discussing the
 Annual Report now. That's

43
 44 CHAIRMAN THOMAS: That's correct.

45
 46 MR. VALE: Okay. For one, the response that we got,
 I'm somewhat satisfied with it. I think they addressed the
 issues that were raised in our annual report, and what I think
 the process that would be good for us to follow when drafting
 50

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up a new annual report -- and I don't have my copy of ANILCA in front of me here, but off the top of my head, my understanding of the means of putting together an annual report, an important part of that is identification of needs and of resources and a strategy to manage subsistence uses in harvesting those resources. And I think that when we put together a new annual report, if we would bear that in mind, I really feel like we need to hear from all the communities around Southeast here, ones that are from our own home town and from the other communities, and we need to have some sort of a process of reaching everybody and asking for where there are deficiencies in terms of meeting their subsistence needs and what are the issues surrounding the resources, and then develop a strategy to address those deficiencies and those needs, and I think that's what we need in an annual report in order to get action from the Secretary or the Federal Board. And so what I'm suggesting is some sort of process like that leading into our annual report.

19

20 CHAIRMAN THOMAS: Okay. Who would put these teams together?

22

23 MR. VALE: Well, that's a good question, and I guess it has to do with how much time and effort does this council have dealing with an annual report. In an ideal world with lots of money to spend, I would like to see some kind of a process, maybe a hearing process throughout Southeast Alaska here, going to the respective communities, asking people about subsistence issues and needs, and getting information from the various subsistence users throughout Southeast in order to develop an annual report. I don't know if that's feasible economically or anything else. In absence of that, then I think the best that we can hope for is that each of us individually try to identify these issues and needs and deficiencies and then work cooperatively, you know, on an annual report. And I think that if we follow that course it's going to take some time, and should we -- if and when we meet again we should allocate an adequate amount of time to do that.

39

40 CHAIRMAN THOMAS: Okay. Anybody else? What's the wish of the Council?

42

43 MS. ROBINSON: I have a question.

44

45 CHAIRMAN THOMAS: Mim.

46

47 MS. ROBINSON: I assume that we'll be dealing with the annual report at the fall meeting, so I suppose we could just make sure there's enough time on the agenda to do a thorough

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1 job of discussing the different subsistence issues around
2 Southeast and making sure that a detailed report goes in.

3

4 CHAIRMAN THOMAS: Okay. John.

5

6 MR. VALE: Do we have a Fish & Wildlife liaison here
7 that could possibly respond to the possibility of holding
8 public hearings around Southeast here to solicit information
9 regarding

10

11 CHAIRMAN THOMAS: Before you get into that, John, data
12 collecting for subsistence has been going on for 40 years, at
13 least. In Saxman -- I don't know about other communities, but
14 I would assume that other communities keep on file, either at
15 IRA office or the city hall, the results of data collecting,
16 and they speak to everything that has to do with subsistence.
17 And I offer that only to be helpful, not to be critical,
18 because I've been involved in several of those surveys over the
19 past few years, and you have, too, probably in some instances.
20 So, what we should do or could do or I might suggest we do,
21 maybe, is to check with these various offices to see if they do
22 have that kind of information, and most of us that come up and
23 say, yes, we do in fact have that information, and it might be
24 representative enough of Southeast to be able to make it a good
25 comprehensive report.

26

27 MR. VALE: That's an excellent suggestion,
28 Chairman, and in the absence of a public hearing process
29 when I would maybe -- I guess I'll go ahead and offer a motion
30 that we draft a letter to the various organizations around
31 Southeast Alaska; Native organizations, corporations, city
32 governments, expressing to them that we'd ask them to identify
33 important subsistence issues in their communities, and then we
34 could look at that information when we take up our annual
35 report. I so move.

36

37 CHAIRMAN THOMAS: You heard the motion.

38

39 MS. ROBINSON: I'll second it.

40

41 CHAIRMAN THOMAS: Okay. It's been seconded. Let's
42 give the secretary a little time to get this down so that she's
43 comfortable with it. (Pause) I smell beans cooking back
44 here. I'm getting anxious here. Have you got it, Vicki?

45

46 MS. LeCORNUE: Uh-huh (affirmative).

47

48 CHAIRMAN THOMAS: It's been moved and seconded.
49 Discussion?

50

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1
2 MS. ROBINSON: Yeah, I have a question.
3
4 CHAIRMAN THOMAS: The question has been called for.
5
6 MS. ROBINSON: No, no, a question.
7
8 CHAIRMAN THOMAS: A question, okay.
9
10 MS. ROBINSON: I have a question.
11
12 CHAIRMAN THOMAS: We're open for discussion.
13
14 MS. ROBINSON: Well, one thing that comes to mind is --
15 actually what comes to my mind, almost immediately, is
16 fisheries issues. I mean that to me that's always where major
17 my mind goes when I'm dealing with subsistence stuff.
18 That's the major portion of subsistence uses, seems like to me
19 anyway. But I just -- I kind of get a feeling that what you'd
20 get back from communities and organizations is a lot of
21 responses would deal with fisheries stuff, and so I would think
22 that the letter would have to be specific, that, you know,
23 making it clear that we cannot deal with fishery issues at this
24 time and that, please, limit your responses to the other issues
25 you know, game issues or whatever.
26
27 CHAIRMAN THOMAS: John.
28
29 MR. VALE: Mr. Chairman, I -- you know, that's probably
30 that's worth considering, but our annual report, as I
31 envision it, goes to the Secretary to report on the affairs of
32 subsistence in Southeast here, and it's in a general sense, and
33 even though we're not addressing fisheries at this time it's an
34 important part of the whole thing, and so I would recommend
35 that this letter not be general in its nature and perhaps could
36 identify fisheries, game and habitat issues that these
37 communities and organizations feel that are important in
38 addressing subsistence overall, and then we can wade through
39 that when we take up our annual report.
40
41 CHAIRMAN THOMAS: Okay. I was going to not comment on
42 that, but as a member of this council I have a responsibility
43 to share my reactions with you. So far, we're working with a
44 limited scope of issues on subsistence in this region, and that
45 limited to game and seasons. And knowing the bureaucracy,
46 for what I've seen in the past, we come up with some kind of an
47 expansion to that that they haven't decided for themselves,
48 we'll have a tendency to regard this as having the inability to
49 follow instructions that works within their scope of
50

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cooperation. I don't think that will happen. I think there's a good likelihood that it will, and I would sense some jeopardy in our good fortune of what we're doing now by doing that. But that's only my own instincts, I've got nothing to support that with. Mim.

6

MS. ROBINSON: The thing that comes to mind is that I would not want to -- it might be seen as us wasting their time because it's an issue that they don't have anything to do with, and so I would -- you know, I can see how it might be interesting to see what people think of as being the issues out there, you know, and all the different issues just for us, but I would not want to put it in the report, 'cause I just -- I don't think they want to hear it. It's nothing they can do about it at this time.

16

CHAIRMAN THOMAS: Vicki.

18

MS. LeCORNUE: Mr. Chairman, I think this community sometime, somehow has to be addressed as to their needs, so that has to be addressed. And those needs, are they -- do you want to say are they just land-based, is that what we're dealing with? So, I mean you have to explain it, but you don't want to limit them so that they believe that they have any subsistence needs in fisheries. You know, you don't want to mislead people.

27

CHAIRMAN THOMAS: Well, for one thing, we're advisory in nature; we're responsible to a board. That board gives us the guidelines on the information that they want, and what I'm saying, to expand on that, I'm not so sure that we wouldn't offer some jeopardy to that. I'm not saying we will, but my instincts say that they will, and I'm not going to speak against the motion at all. I'll support it 'cause I'm not an eligible user anyway, but keep that in mind.

36

Further discussion? Marilyn.

38

MS. WILSON: Yeah, Mr. Chairman, I don't see any problem with getting the information and the needs of the people in Southeast, even though it's under fisheries, which we don't take care of. But there's nothing -- I don't see anything wrong with us having that information, and we could just either sit on it or be prepared for later when maybe it's first possible the Federal might take over, we don't know. But we're a board, we're a council, and we're supposed to hear the people on anything that has to do with subsistence. I think it's very important myself because like Mim, all I think about is fish.

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1
2 CHAIRMAN THOMAS: That's true, Marilyn, but John's
motion was to include that data in the Annual Report.

4
5 MS. WILSON: Oh. Could

6
7 CHAIRMAN THOMAS: Richard. Don't fight over the mike.
8 Richard.

9
10 MR. DALTON: I'm going to speak for about an hour.

11
12 CHAIRMAN THOMAS: Mim.

13
14 MR. DALTON: You know, this whole concept of what he's
discussing, I believe the more message we put out to make
people understand what subsistence is all about. Subsistence,
I don't know what that word really means. To me it's our food
we're talking about, what's out there, and the people that
utilizes this subsistence has a certain amount of
responsibility. The Tlingit people are the most conservative
people in the world. They look into the future and have
concerns of the future. And what is the future? And that's
our grandchildren, this is what we're worried about. We don't
want to disrupt anything there, that when we go out there that
means under the subsistence law that we will take two, 3,000
sockeyes, per se, or maybe even 5,000 king salmon. But we are
already limited last year to -- what was it, one king salmon a
day under subsistence, and two cohos or whatever? And then
later in the season they gave us six cohos and two king salmon.
But what I'm saying is supportive, I think. We need to let
the public know exactly what needs to be recognized by the
public.

33
34 CHAIRMAN THOMAS: That's true, Richard, and as you were
speaking it reminded me of a letter to the Anchorage newspaper
that many of you know, Leo Land in Haines wrote the letter to
the newspaper, and he was really -- thank you very much -- was
really upset with some of the postures that some people gave to
subsistence users. This one person objecting to subsistence
says we need subsistence allowed to be more equal; when Natives
are ready to give up modern transportation, communications,
weapons, medical education systems and live like their
ancestors did and did not rely on the benefits of our American
free enterprise system as given them, then they will deserve
subsistence priority.

46
47 So I share this with you just to show you some of the
mentalities that we're dealing with, not to suggest any level
of illiteracy or anything like that, but that's what I meant in
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my opening remarks, that we have to communicate with a sense of
 2 compassion; to a point cooperate to where we can understand to
 3 a point to where we can cooperate, and that's what we have to
 4 do. Now, we're going to be challenged with this mentality for
 5 a long time, and I think if we keep doing what we're doing now
 6 that we will continue to prevail.

7

8 But we'll hear some more discussion on the annual
 9 report. John. Thank you, Marilyn.

10

11 MR. VALE: Yes, Mr. Chairman, just to clarify what I
 12 had intended in my motion. I had intended that this would
 13 result in getting information from Southeast about subsistence
 14 uses and that we would take that information when developing
 15 our annual report and not necessarily anything specifically
 16 that -- or everything would be included in the annual report,
 17 we would look at the information that was provided to us and
 18 whether it be fisheries or game or what-have-you, and then use
 19 that in developing our annual report. So that's kind of what I
 20 had envisioned when I made the motion. If it's any comfort to
 21 the other council members, I wouldn't have any trouble with
 22 language in the letter that stated that presently we don't have
 23 any authority to make recommendations on fisheries issues as a
 24 part of that letter, but we would still like information
 25 regarding subsistence uses, and we could kind of clarify that
 26 particular point when this letter is put together.

27

28 CHAIRMAN THOMAS: But do you still want to include that
 29 in the annual report?

30

31 MR. VALE: Well, I feel that we -- as a body when we do
 32 our annual report next fall, I feel that the information we've
 33 received relating to fisheries, if there's aspects of that that
 34 should be on our annual report, then I don't -- you know, as a
 35 body that is a decision that we should make at that time, and
 36 I would leave it with that.

37

38 CHAIRMAN THOMAS: I agree with the intent of that
 39 thing, however, our practical disciplines tell me now to agree
 40 with it because if I give you an assignment to do and I want
 41 you to give me an annual evaluation on there, I would expect an
 42 evaluation, limit it on what the assignment was. Anything
 43 beyond that would tell my you're getting creative and I don't
 44 know how much I could trust the report, but that's only my
 45 instincts.

46

47 Further discussion? Mim.

48

49 MS. ROBINSON: I'd like to hear what the motion says.

50

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1
2 CHAIRMAN THOMAS: Motion; do you have the language of
the motion, Vicki?
4
5 MS. LeCORNU: I think it was like John said, get
identification of needs to the communities as a way to reach
people and to address deficiencies.
8
9 CHAIRMAN THOMAS: There was nothing said about
10
11 MS. LeCORNU: Moved to write to communities and various
organizations.
13
14 CHAIRMAN THOMAS: Oh, so we're just gathering data,
we're not going to add it in the report?
16
17 MS. LeCORNU: I don't think it's in this motion that
it's necessary.
19
20 CHAIRMAN THOMAS: Okay.
21
22 MS. ROBINSON: Okay. So it doesn't deal with what goes
in the report, all it is is recommending that we
24
25 CHAIRMAN THOMAS: It's information for itself.
limited to that.
27
28 MS. ROBINSON: gather information. It's limited
to that; is that correct?
30
31 MR. VALE: Uh-huh (affirmative).
32
33 MS. ROBINSON: Okay.
34
35 CHAIRMAN THOMAS: Further discussion?
36
37 MR. VALE: Question.
38
39 CHAIRMAN THOMAS: Question's been called. All those in
favor, say aye.
41
42 IN UNISON: Aye.
43
44 CHAIRMAN THOMAS: Opposed?
45
46 (No opposing responses)
47
48 CHAIRMAN THOMAS: The motion carries. Okay. The Chair
would like to talk to the Chief Operations Officer of the
50

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kitchen. I understand that lunch is being served here as a fund raiser? I got that as an informal announcement. Was my informality anywhere near accurate? I would like the kitchen chairman, please be recognized. (Pause) He forgot we were here. All set?

6
7 Okay. How long a dinner break shall we take? 3:00
8 o'clock?

9
10 (Off record comments)

11
12 CHAIRMAN THOMAS: 1:00 o'clock. That will give you
13 time for a smoke break, a powder break and a lunch break.

14
15 (Off record)
16 (On record)

17
18 CHAIRMAN THOMAS: The meeting will come back to order.
19 Okay. Meeting for a suspension of the rules has been
20 requested. What's the privilege of the Council?

21
22 MR. VALE: What's the request for, Mr. Chairman?

23
24 CHAIRMAN THOMAS: To offer a report on Tongass Land
25 Management.

26
27 MR. VALE: I would move to suspend the rules.

28
29 CHAIRMAN THOMAS: You heard the motion. Is there a
30 second?

31
32 MR. FELLER: I'll second it, Mr. Chairman.

33
34 CHAIRMAN THOMAS: Any discussion? All those in favor,
35 aye.

36
37 IN UNISON: Aye.

38
39 CHAIRMAN THOMAS: Opposed?

40
41 (No opposing responses)

42
43 CHAIRMAN THOMAS: Motion carries. We'll now hear from
44 Mr. Robert Vaught. He's going to give us some information on
45 the Tongass Land Management. Thank you, Robert.

46
47 MR. VAUGHT: Mr. Chairman, Council, thank you for
48 having me here again. My name is Robert Vaught. I am the
49 interdisciplinary leader for the Tongass Land Management Plan
50

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Revision and I have a couple of points that I would like to make. The first, having to do with an update on how we're doing on the revision and what is currently happening with the revision. Secondly, I would like to mention a few things about the Tongass National Forest Fisheries Protection.

As you may recall at the last meeting we were expecting to have a report out on the adequacy of the protection of fisheries issues -- fisheries habitat on the Tongass National Forest, and I would like to give you an update on that specific project.

CHAIRMAN THOMAS: Please proceed.

MR. VAUGHT: First of all, a very quick summary of what our intent is in completing the Tongass Land Management Plan Revision. It is -- forest planning is required by law, in the National Forest Management Act, and it is to be redone, a revision, every 10 to 15 years. The first plan was completed in 1979. The plan is currently 16 years old, and it is one of our highest priorities in the Alaska Region of Forest Service to get the plan completed as quickly as possible. Our approach is to use the existing revision information. The plan -- we have been working on it for seven years now. We have a great deal of information that has been put together and we don't want to and we can't start over. We need to proceed quickly to draft to get the plan completed with the existing information that we have available.

Our intent with this revision is to have a sustainable program for all natural resources, to have a defensible program and to have a scientifically supportable program. As I stated to you last time, our current revision effort is very specifically not a timber driver program, it is a sustainability driven program.

During the last month, since the last regional meeting, we have been working on a lot of preliminary programming, and I really do not have significant accomplishments to report at this time. In the near future, in the month of March specifically, we will begin the process of looking at alternative development. This is really the heart of a National Forest Plan. It will describe different ways of dealing with the issues that we have on the Tongass, which subsistence is a very important one, and probably at the next meeting we will have a lot more information to present on what those alternatives may very well look like. And it is my hope and my intent that the Council will have significant involvement in providing information to us and recommendations

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to us on what those alternatives should say and how they should be arranged. And so until we get to that point there's a lot of work that's going on, but it's not significant in terms of being something that I am able to report.

5

6 That's really all I have to say about an update to our planning efforts. We're there, we're working, we're getting quickly to the place where we're going to have some information to be able to present.

10

11 CHAIRMAN THOMAS: Okay.

12

13 MR. VAUGHT: The second thing I would like to talk about, very briefly, has to do with fisheries protection. About -- I think it might even be close to two years now ago Congress requested that the Tongass National Forest prepare a plan that describes whether or not additional fisheries habitat protection measures are needed. We have worked on that plan, that plan is now completed. It's called the Alaska Fisheries Habitat Assessment. It will be submitted to Congress in the near future, we hope. Actually, at the last meeting I was here said that we hoped that it would be released fairly soon. As you are all aware though, the way that these matters work, they are highly political, we have to go through our Washington office and we have to get -- have discussions with OMB, for example, and the Secretary's office, and those discussions are ongoing. We do hope that plan will be available in the not too distant future.

29

30 Our intent -- and I read this, this is a quote for fisheries protection, it says: For this revision of the Tongass Land Management Plan, the goal of preserving the biological productivity of fish streams on the Tongass is a common goal of all alternatives. It is the Revision Team's intent that fisheries habitat be protected on the Tongass, and I would like to make that clear. The purpose of the AFHA Report, the Alaska Fisheries Habitat Assessment Report, is to describe whether or not additional measures are needed. I believe that the report, which I have not read yet, it is a report to Congress and will not be released to the team until Congress has seen it, but I believe that it will make some additional recommendations for habitat protection over the ones we currently have.

44

45 And I would like to remind you, very briefly, of the protections that we already have: One hundred feet minimum on any fish stream -- any fish stream that has fish in it on the Tongass National Forest, has a 100' minimum buffer protection. Within that buffer there can be no logging activities except

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under extremely restricted circumstances. And to my understanding, we have done -- with the exception of maybe one case in the last several years has there been any logging activity within a buffer on the Tongass National Forest. There may be a case or two that I don't know about. Mostly I'm familiar with the Ketchikan area. Additionally, up to 400 feet of protection -- and even beyond 400 feet of protection can be requested by the fisheries biologist and is requested on a regular basis in habitats that are sensitive. I believe that the Fisheries Habitat Report that is currently being done will make some recommendations about areas and streams that are higher in the watershed that are not fisheries habitat themselves, but potentially affect fisheries habitat. And I think that those that are interested in subsistence concerning fisheries will be very interested in that report. I also expect that it will be -- there will be a lot of political information, political information, both internally and externally in the agency, and you will see information in the newspapers and a lot of information when that report finally comes out.

21

22 That's really all I have prepared to say right now.
 23 The two points, to summarize: We're working hard on the
 24 Tongass Revision. We should have, in the next several months,
 25 some very specific information that we would like the Council
 26 work with us on, point one. Point two, the Alaska Habitat
 27 Fisheries Assessment Plan, which talks about the fisheries
 28 protection needs on the Tongass, should come out shortly and
 29 once again, we would like to get the Council's reaction and
 30 recommendations concerning the recommendations in that plan,
 31 and we will be coming to you with those requests at some time
 32 the next few months. Thank you.

33

34 CHAIRMAN THOMAS: Thank you, Robert. You answered my
 35 first question already. My first question was if you want us
 36 work with you, if there's something -- information and
 37 direction or instructions from you folks that we can anticipate
 38 the future; I guess you said there is.

39

40 MR. VAUGHT: Yes.

41

42 CHAIRMAN THOMAS: With the 100' buffer, I can remember
 43 going from a quarter-mile down to less to less to less, and 100
 44 feet seemed so livable by everybody. Usually when something is
 45 that agreeable I question the effectiveness of that. With the
 46 biology experts, is 100 feet adequate in each instance or a
 47 majority of instances?

48

49 Robert, maybe you know something about that.

50

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1
2 MR. WILLIS: Just to give you my personal opinion,
Bill, that seems kind of narrow to me, not having reviewed this
particular plan and looking at the areas they're talking about.

5
6 CHAIRMAN THOMAS: They can't hear you in the back. You
almost have to swallow it.

8
9 MR. WILLIS: I'm not sure it's on.

10
11 CHAIRMAN THOMAS: Yes, it's on.

12
13 MR. WILLIS: Okay. I didn't come prepared to answer
that question.

15
16 CHAIRMAN THOMAS: I didn't mean to broadside you.

17
18 MR. WILLIS: Yeah, you kind of caught my with my shorts
in my hand there, but

20
21 CHAIRMAN THOMAS: Hurray.

22
23 MR. WILLIS: 100 feet, it kind of depends on your
slope, to a great degree. And when you get into steep country,
my personal opinion, 100 feet is not sufficient. Again,
that's -- you know, I'm speaking for myself personally and not
for the Fish & Wildlife Service or any other entity here I
would have to do some serious research on that before I would
give you a definitive answer. But that's been a common
complaint that those -- by professional people that those 100'
strips are not sufficient.

32
33 CHAIRMAN THOMAS: Thank you. I appreciate that. And
that's the kind of candor I really appreciate, but I would not
want to ask you for it in each case because of some
consequences sometimes that follow that. But that was my
reason for questioning that 100' buffer.

38
39 MR. VAUGHT: Mr. Chairman, could I respond?

40
41 CHAIRMAN THOMAS: Yeah.

42
43 MR. VAUGHT: Could I respond to Robert's comment?

44
45 CHAIRMAN THOMAS: Okay.

46
47 MR. VAUGHT: The 100 feet is a minimum. And, for
example, on steep slopes the very -- the usual procedure is to
go to the slope break, regardless of what that is on steep
50

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slopes. And in many cases that's more than 100 feet. In cases where there's sensitive soils or there are other sensitive features of the landscape it is part of our protection measures that those areas will be considered, and when necessary those buffers will exceed the 100 feet to whatever they need to be, based on the sensitivity of that particular area. On the Ketchikan area, which is where I'm familiar with, the average buffer is 160 feet, and many places where there are high sensitivities the buffers exceed three and 400 feet. And so that is specific on the ground information by biologists that look at these areas and make recommendations for what the buffer ought to be, based on the sensitivity of the area. So 100 feet really is a minimum and not a maximum.

14

15 CHAIRMAN THOMAS: Is the sensitivity based on an evaluation for each time or is there a formula depending on terrain?

18

19 MR. VAUGHT: On the Ketchikan area the biologist -- before a harvest unit is ever laid out, a biologist visits the unit, looks at the streams within that unit, classifies the streams within that unit according to a stream classification system that we have, and makes specific recommendations on what the buffer size ought to be based on the sensitivity of those specific situations. And so that level of detail and that level of specific recommendations is being accomplished. That's somewhat of a change. A few years ago we were not going that. And so we are progressing pretty rapidly in what is the protection measures that are needed for specific situations.

30

31 CHAIRMAN THOMAS: Thank you. Maybe you could refresh our minds a little bit on why we feel there is a need for a buffer on the streams?

34

35 MR. VAUGHT: Well, specifically the streams in Southeast Alaska area generally covered by trees or have trees around the edges of them, well into the stream course. There are important advantages to those trees because the material that comes from the trees and goes into the stream which is eaten by the insects that are in the stream, the shade that the trees provide, and the -- we call it large, woody debris which are the main trunks of the trees themselves, when they grow old and die and fall into the stream they shape the quality of that stream, they provide the spawning gravel and the habitats within that stream. And so it is important that the old, large trees near a stream have the capability to function without being harvested or disturbed or otherwise removed from the biological processes that are natural there. And so those, I think, are the main important characteristics about the trees

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that are near and on the streams.

2

3 CHAIRMAN THOMAS: Okay. Also you mentioned that those
4 are the norms except for extreme situations. I was wondering
5 how a person would recognize something extreme that would make
6 an exception for logging operations.

7

8 MR. VAUGHT: The biologists that we have, who look at
9 these streams, usually look at them in association with soil
10 scientists and other specialists that are essentially trained
11 in identifying sensitive areas, and they look for those
12 characteristics. Actually, our biologists are quite
13 experienced in this area. I mean this is one of the important
14 things -- in fact, it's the main part of their jobs during
15 field season, and so that is what they're trained to do.

16

17 CHAIRMAN THOMAS: Is the biologists' objections to
18 making the allowances generally upheld?

19

20 MR. VAUGHT: Again, I would answer specifically for the
21 Ketchikan area, because that's where I'm from and that's where
22 we've dealt with these matters personally with biologists in the
23 field on the ground, and my experience is that in almost every
24 case the biologists' recommendations are upheld.

25

26 CHAIRMAN THOMAS: Okay. Do you know what the response
27 to the biologists whenever they request 400 feet? Supposing
28 they're talking a buffer and they say, well, we'd recommend 400
29 feet for this area, and there's got to be a response from
30 somebody to that.

31

32 MR. VAUGHT: Yes.

33

34 CHAIRMAN THOMAS: Is it normally challenged or do they
35 just kind of -- do they put that into their harvest plan or
36 what?

37

38 MR. VAUGHT: We do have a Harvest Plan. The
39 recommendations are put in that plan and the district ranger
40 signs off on those plans as being approved. And so there is
41 management approval of those plans, and very seldom are the
42 recommendations of the biologist not accepted. And when they
43 are there is a very significant interdisciplinary discussion
44 that the ranger sets up in order to make sure that the
45 resources are protected.

46

47 CHAIRMAN THOMAS: And this is all monitored by the
48 Forest Service during operations?

49

50

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1 MR. VAUGHT: Again, I'm most familiar with the
2 Ketchikan area, but

3

4 CHAIRMAN THOMAS: Well, Ketchikan is the only area I'm
5 suspicious of.

6

7 MR. VAUGHT: We do have a Monitoring Plan that does
8 have a monitoring strategy to figure out if in fact we
9 accomplish what we say we're going to accomplish, and, in fact,
10 that would be an interesting topic. I'm not prepared to go
11 into all the detail of that today, but we could present some
12 detailed information about our monitoring plans to show you
13 precisely what we do do. It is not 100 percent monitoring. It
14 seems obvious to me, anyway, that we do a lot of work across a
15 lot of country on the Tongass National Forest and we do have to
16 rely on sub-samples, but they are random sub-samples and
17 designed to be statistically accurate, and it is, in my view,
18 quite a significant monitoring program.

19

20 CHAIRMAN THOMAS: Okay. Thank you. Anybody have any
21 questions? John.

22

23 MR. FELLER: Thank you, Mr. Chairman. I was going to
24 ask Mr. Vaught, in that monitoring process -- I know with
25 salmon it's really important, I don't know about the wild
26 salmon, but in the hatchery system there the temperature of the
27 water and those trees probably would protect them from
28 over-heating in the creeks and areas that are drying up; is
29 that true, or do you have any

30

31 MR. VAUGHT: That is true. Every once in a while --
32 it's about every 10 years or so in the last 30 or so years we
33 have had very hot, dry summers. In fact, we had one a couple
34 years ago and there were a number of fatalities, salmon --
35 adult salmon fatalities in the Ketchikan area particularly.
36 The more southerly you go, the more concern that you have with
37 streams and high temperatures -- water temperatures. It is a
38 natural phenomena. Natural streams that have not had logging,
39 had salmon that died as well as streams that did have logging
40 on them, but logging does and can have an effect on causing
41 that problem to be worse, and that is one of the major
42 advantages of having a buffer that is undisturbed to provide
43 and to maintain that cooler water during the hot summers that
44 occasionally occur.

45

46 MS. WILSON: Mr. Chairman.

47

48 CHAIRMAN THOMAS: Marilyn.

49

50

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1 MS. WILSON: I would like to cite an example of what I
 2 heard happen with the State of Alaska on the state land when
 3 they had logging. They didn't have the buffer zone and the
 4 natives there tried to tell them, the biologists, not to cut
 5 the trees too close, and they did, and there's no more fish
 6 there anymore. So that's how sensitive it can be. I just
 7 wanted to bring that out, that it has happened. You can lose
 8 your -- the fish.

9

10 CHAIRMAN THOMAS: Thank you, Marilyn.

11

12 MR. VAUGHT: I would like to mention that there are
 13 various ownerships in Southeast Alaska that have logging on
 14 them, and the state on their logging practices -- the State
 15 Logging Practices Act has different protection measures than
 16 the Forest Service does, and they are not quite as strenuous.
 17 And then, of course, there are private lands which have a
 18 different set, which are also less strenuous than the Forest
 19 Service, and so it is important to me to remind everyone that
 20 you probably will see areas that don't have the protection
 21 measures that I'm talking about that occur on National Forest
 22 system lands or other lands, there are different regulations.
 23 I think the intent is the same; it's to provide for an
 24 important level of -- minimum level of protection, but the
 25 standards are different with different ownerships.

26

27 CHAIRMAN THOMAS: Herman.

28

29 MR. KITKA: My big concern, when they log an area too
 30 close, if that stream or lake system doesn't have any ice or
 31 glaciers feeding that stream, green stuff grows all the way
 32 through the logging area. It happened in Sitka Bay, it used to
 33 produce a whole lot of sockeyes for subsistence users. They
 34 never opened that area to subsistence last year on account of a
 35 shortage. That green stuff grew all the way up to the lake,
 36 all the way around the lake, and I asked a lot of biologists
 37 what does that stuff -- what does it do to the little
 38 fingerlings; what does it do to the eggs that are deposited?
 39 Nobody gave me an answer.

40

41 CHAIRMAN THOMAS: Mim.

42

43 MS. ROBINSON: Yes. When you were talking about the
 44 different lands ownership issue it just made me think about
 45 this, the Katy John case and one of the Where questions, I
 46 think it was question number two. Would the Katy John appeal
 47 affect this question about buffers and stuff, whether the
 48 Federal government could step in and control that? I see Norm
 49 shaking his head no. Okay.

50

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1
2 Oh, I had one other question. That assessment that's
3 been completed,

4
5 MR. VAUGHT: Yes.

6
7 MS. ROBINSON: Are we on the mailing list for that?

8
9 MR. VAUGHT: Actually, I don't even know if we've put
10 together a mailing list yet. But we will be distributing that,
11 and I will make sure that the subsistence council gets on that
12 list.

13
14 MS. ROBINSON: Good.

15
16 MR. VAUGHT: As I stated, it will be important to us on
17 the Planning Team to get your suggestions and recommendations
18 about that, and we intend to follow through and to ask for
19 those and to get those, and you will certainly need to be --
20 have copies available. We'll probably send a copy to
21 individual members.

22
23 MS. ROBINSON: Good. Thank you.

24
25 MR. VAUGHT: In fact, I'll make a note to do that.

26
27 CHAIRMAN THOMAS: John Vale, then Patty.

28
29 MR. VALE: Yes. When you first started your report,
30 shortly after you got started you started talking about some of
31 the goals, I guess, and the TLMP, and I couldn't hear what you
32 said, and I was wondering if you could repeat that?

33
34 MR. VAUGHT: Our goal for this revision is to be a plan
35 that is not timber driven, that it is scientifically
36 supportable, that it is legally defensible and that it is
37 biologically sustainable over time. And the work that we're
38 doing is designed not only to accomplish that but to show that,
39 to the best of our ability, we are going to be able to do those
40 things, and so there is a significant effort on our part, as we
41 do the plan, as we redo the revision and we look at the
42 timber program, we look at the fisheries program, we look at
43 the wildlife program, that those areas are dealt with, to the
44 best of our knowledge and abilities, and that we document what
45 is that we mean when we say that. That's a pretty high
46 standard, but that's our intent.

47
48 MR. VALE: Good. Thanks. And then I have one
49 question. What did the Planning Team do with our request for
50

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subsistence land use designations being considered in that process?

3

4 MR. VAUGHT: As I stated previously, we are not yet to the place where we are actually talking alternatives, and when we begin to talk alternatives then we begin to talk land use designations. So, sometime over the next, I would think probably two to three months, would be a realistic estimate of time, we will begin the discussion on the team with -- that deals with the land use designations questions and how we're going to put those together in alternatives. The question of a subsistence land use designation and how subsistence will be a part of that process will need to be a part of that discussion, and we're just not at a place right now where we have -- we're actually dealing with that in terms of what to do we need to do and how to do it. I would offer a caution, however. As I stated previously, because the plan revision has been underway for seven years already, because the data is getting older and older as we speak, almost, in terms of what's in that plan, it's important that we finish it quickly, and so we're going to have to make some judgment calls about what can we do that would be what we would really like to do versus what do we need to do in order to get the plan done that will allow it to be done quickly.

25

26 Some things that we would like to do are going to involve more data, more information, and some things that we cannot do in the short-term. So, I can't promise that we are going to be able to have -- to completely redo the -- and have a subsistence LUD that will meet the needs and concerns that you would like us to meet at this time, but we're going to look at it and we're going to report back about that, and we'll have some more discussion about that before we make any decisions as to how we can proceed.

35

36 There's another very important part of the plan, and that is that recognizing that we can't do everything we would like to do now, in terms of getting a plan done quickly, there's going to be a three- to five-year period in the future in which we are very specifically in the plan going to say we need more information, we need some more data in this area, and we need to do a better job in this particular area. And it could be that subsistence is one of those and that we will have a plan in the plan on what we need to do in order to get on top of some subsistence issues in a better way. So, if we can't do it in the short-term, we're going to do it in a three to five-year time horizon, and we'll describe that in the plan. And that is one of the things that in the future as we continue to have discussions with the Council that we will be addressing

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With you and giving you additional information on.

2

3 MR. VALE: Thanks.

4

5 CHAIRMAN THOMAS: Marilyn.

6

7 MR. VAUGHT: I don't know right now.

8

9 MS. WILSON: Patty is ready.

10

11 CHAIRMAN THOMAS: Patty.

12

13 MS. PHILLIPS: Mr. Chair. At our last meeting you
thought up something about a team plan, that you were going to
hire a person who was knowledgeable about subsistence. Has
that happened?

17

18 MR. VAUGHT: That has happened. In fact, Guy Cellier,
stand up. This is Guy Cellier. He has a master's degree in
economics, a PhD degree in social sciences, and is going to be
the person who is going to help us define the information that
we need, in terms of the subsistence program, and put it
together and develop our plans and approaches, and be the
expert for us in this area. And he is here -- going to be here
this week with you, as you can see. He is not from Alaska, and
he is new to the TLMP Team, and so he is going to be on a steep
learning curve. But we do have the intent to get him involved
in these issues and to get working on them on a full-time
basis, and he will be the person responsible for helping us in
that effort.

31

32 MR. DALTON: Mr. Chairman.

33

34 CHAIRMAN THOMAS: Richard.

35

36 MR. VAUGHT: Maybe I should say one more thing.
Richard, excuse me.

38

39 MR. DALTON: I'll wait.

40

41 MR. VAUGHT: That doesn't mean that we're not going to
use the best information in the communities and the people
in Southeast Alaska to help us get that information. We're not
saying he's the expert and he's going to tell everybody how
it's going to be; he's going to be the one that is going to be
the expert in terms of data collection and how do we get the
information so that it makes sense, how do we analyze the
information, and there's going to be a lot of discussion with
people from Southeast Alaska about those issues as we go

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forward. It's not a matter of we have an expert and we're going to show you how it's going to be at all.

3

4 CHAIRMAN THOMAS: How are we expected to dialogue with all those credentials? Richard, are you ready?

6

7 MR. VAUGHT: Excuse me for interrupting.

8

9 CHAIRMAN THOMAS: Okay. Richard.

10

11 MR. DALTON: What concerns this community is a buffer zone, not just along the rivers, a buffer zone needs to be protection for the little fingerlings that choose to go up to the tributaries. They're still being bounced around with logs that fall and all the alcoholic drainage and everything that comes out of the wood ash goes into these tributaries, which is probably about the most damaging poison that anybody can encounter as far as the fingerlings are concerned. We've seen it there. I look at it every time I get a chance I go up there. Especially it comes in the spring of the year, you'll find some dead ones in there.

22

23 And the other one is people experiment with something that the Tlingit people knew already all of their life, because we live in this fisheries for years, and when he came back from the fish tribe he became a medicine man. So naturally, biologically speaking, we know the culture of our fish tribe. So one of the things that kind of concerns me around here, as far as Forest Service biology is concerned, he wanted to allocate a little lake up the Port Frederick area here to put sockeyes into a sockeye rearing pond. And in our culture it has never been known that those things be put together in one pond. One of 'em is going to eat each other out, that's about the size of it. So we have a letter here that was addressed January 7, 1994, by the Hoonah Traditional Tribal Council, and this was to the president. So I'll just hit the highlights of it:

38

39 The Hoonah Traditional Tribal Council is composed of the traditional elder leadership of the six Tlingit clans living in our traditional usage area, which includes Glacier Bay and part of the Tongass National Forest. The clans are listed on the letterhead. The 450 Hoonah Tlingits residing in Hoonah are the indigenous inhabitants of this area who still live and occupy our territory, who harvest land and marine resources. So you see, we have something here that's being overrun by Forest Service, and I don't think that I feel that I should try to support what clear cutting is all about because it has done a lot of damage.

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1
2 Three years ago it was purported to us that they were
3 \$3 million in the red, the Forest Service Department, and a
4 year ago they report to me that, as I got it, they were 87
5 million in the red, and yet they come over here and build a big
6 house over here. Where does that money come from? And yet
7 they choose to do clear cutting all the way on our territory.
8 That kind of disrupts me with the hunting and fishing rights,
9 because that really is a corruptible thing, and there is no
10 protection really.

11
12 Now, if I shoot something in that area, I want to make
13 sure that I take what I need, that's about it. But then when
14 you go over to -- the Forest Service has contracted out and the
15 loggers come and log that area out, we see a lot of brown bears
16 killed out, a lot of other stuff that's killed there, martens,
17 you name it, otters that plays around in the woods, and deer.
18 looks sad. And that's clear cutting. If you see -- I seen
19 what clear cutting does. I worked with the logging company. I
20 was not one of the lead men in the poles that we used to work
21 with. I worked 2-1/2 years with a logging company. But after
22 saw what was happening, I walked out of there. I didn't want
23 to take part in that because a cutter will cut about 10, maybe
24, maybe 20 logs, and then just one timber will fall all that
25 stuff altogether, not giving any fair chance to any game that's
26 underneath it. So it just wipes them all out. So, I'm against
27 this whole concept of Forest Service the way they're operating.

28
29 MR. VAUGHT: Well, if I can respond to that. I have a
30 couple of points. The first one has to do with clear cutting.
31 As I stated, our goal for this revision is to have a plan for
32 timber harvest on the Tongass National Forest that is
33 biologically sustainable. Now, we do have a charter in the
34 Forest Service of multiple use, and so I don't think that
35 you're going to see timber harvest disappear from the Tongass.
36 But I do believe that you will see in the revision a serious
37 and significant effort to describe how this plan is going to be
38 sustainable for biological resources, fisheries and wildlife
39 and others, over the long term, and I expect that the plan will
40 have less clear cutting in it than the current plan that we are
41 operating under today. It is the purpose of the revision to
42 deal with these issues that you have talked about, and we hope
43 to be able to do that. And I think that you will be encouraged
44 by your concerns when we get the revision to the place where we
45 can show you what it all is and what it all means and how we've
46 put it put together this time. I think it will deal in a
47 substantive way with the concerns that you've mentioned.

48
49 The second point I would like to make concerning the
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Office down here is I do understand that concern, it was a considerable amount of money that went in to building that office. But on the other hand, there are some real advantages to having the office down there. You have in your community -- in the community of Hoonah you have people that work for the Forest Service that live here, that know what's going on in your area, that are a part of the community, and community functions that occur here that you can talk to on a one and one basis that you know and you have access to, and most other federal agencies do not give you that opportunity. The decisions are made far away and they're made by people who don't know the local situation. And I agree it costs money to keep Forest Service employees in Hoonah. And I -- that money is appropriated by Congress and it comes out of all our tax dollars. But as a nearly 20-year employee, I believe I have seen the very positive benefits of Forest Service employees living in the communities where -- serving the people in the communities where they live.

19

20 CHAIRMAN THOMAS: I don't think we are disputing anything you said. I think the point he was trying to drive home is that it is also pretty near the same, whether there is interaction or not, the logging practices remain the same. I think that's what he's objecting to.

25

26 MR. VAUGHT: Yeah. And I guess in response to that I would say that oftentimes it may seem like the process is slow. But when I first started working in Southeast Alaska as a professional fisheries biologist in 1978, I have seen very significant changes that have occurred in time. And it may seem slow, but I think it works, and I think the people living in the community are a real important part of that, and it would be a lot slower if that weren't the case.

34

35 CHAIRMAN THOMAS: Okay. Herman. Give him the mike, you guys.

37

38 MR. KITKA: I want some answers from the Forest Service. I'm 15 years into the ALP contract. We fought for -- we fought against the clear cutting all the way through. We favored that we leave a space for the acres or so and then continue clear cutting. That resulted in the large deer population in our area and the Forest Service, they are trying to cut that old growth that they left before the new cut-off area has enough protection for the deer. A deer, when in -- it's usually in February and the first part of March, during the day when the wet snow comes down and during night it freezes, that's when the deer die if they don't have any shelter. That is one of the reasons we're fighting you folks

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from going in and cutting the overgrowth before the cut out area has enough shelter for our game. I know it's a problem in a lot of places where we have subsistence uses. In a clear cut area in a severe winter all the deer disappear.

5

6 MR. VAUGHT: And I guess in response I would say, again, that I believe that this new plan, the new revision that we're currently working on, when it is completed it will address some of those concerns in a more significant way than we have in the past.

11

12 CHAIRMAN THOMAS: Are you going to have a historical background as part of your new plan?

14

15 MR. VAUGHT: Yes.

16

17 CHAIRMAN THOMAS: Will information like that be included?

19

20 MR. VAUGHT: Yes.

21

22 CHAIRMAN THOMAS: I think that's what we're looking for, some recognition and acknowledgement of the concerns, and a plan that is intending to address those concerns. I think that's our second -- that's our option. What we'd really like to have for it to be done and be fixed by 2:00 o'clock this afternoon, in effect. Marilyn.

28

29 MS. WILSON: Mr. Chairman, I'd like to ask you, Herman, I think -- Herman asked a while ago -- or he mentioned about tributaries, you know the fish that live in there, the fingerlings. My husband was telling me up in the Haines area, they were making a road way up there, and this guy fell in, it was all covered with moss and stuff, but underneath was thousands and thousands of fingerlings. So does the Forest Service in this TLMP revision here, are they going to consider the tributaries, too, or just the big rivers on buffer zones and so forth?

39

40 MR. VAUGHT: The mandatory protection and the additional protection -- there's really the two levels of protection, both the mandatory 100 feet, wherever there are fish in the stream, and the additional protection measures when there are sensitive areas that need to be considered; all are in effect on any stream where there are any fish. And so if you find fish in a stream, those protection measures need to be applied according to our standards of protection and are applied as we carry out our program.

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1 One of the things the AFHA Report, the Alaska Fisheries
 2 Habitat Assessment, that I have referred to that is going to be
 3 released fairly soon, we hope, it talks about the need for
 4 protection measures even higher in the watershed where --
 5 places where there are no fish because of steep slopes and the
 6 need for some additional protection measures in those areas as
 7 well. And so those are some of the things that are being
 8 considered.

9

10 MS. WILSON: I also have another question. You say
 11 later on you'll make use of us or the public in making this
 12 plan or this program that you're working on. Is this council
 13 going to be working with you or are you -- I'd like to know
 14 that.

15

16 MR. VAUGHT: We are going to need to figure out how to
 17 make that interaction occur. We are just now to the place
 18 where we're going to have some information that we can send to
 19 you, that we can get comments about from you, and then as we
 20 begin to work on the alternatives, which is the real meat, the
 21 heart of the plan, then we'll have to figure out how to get
 22 this council's interaction in that process. Certainly there's
 23 going to be some information in the not too distant future that
 24 we will send to you individually. I will probably -- I would
 25 probably rely on Carol to make recommendations about setting up
 26 a better process, a more interactive process to have those
 27 discussions. And I expect -- this is, I guess, a pure guess,
 28 but Chairman Thomas would be one of the key contacts to help
 29 sort out when and how to do that. And so I would rely on
 30 Chairman Thomas and Carol to help us figure that out. And that
 31 is something that we do need to do because in order to have the
 32 kind of interaction that I've been talking about, in order to
 33 get the advice from you that we would like to have that we want
 34 to include in the plan, we're going to have to develop how to
 35 do that. It's a communication level that we have not been
 36 involved with as yet, and so it's going to be new for both of
 37 us.

38

39 MS. WILSON: Okay. Thank you.

40

41 CHAIRMAN THOMAS: John.

42

43 MR. VALE: Yeah. What, again, is the time frame for
 44 working under TLMP, and when do you anticipate the need to
 45 develop this cooperation on the alternatives?

46

47 MR. VAUGHT: The first written information that we are
 48 going to begin to share with you is going to be available
 49 around the first of March. There's going to be a several month

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period, between March and a few months thereafter, that we're going to have to talk about that information and have that interactive process, and then we will begin to develop alternatives. The plan itself -- we have stated in public press releases in the past, that we hope to have a plan ready to go in early 1996. We are thinking right now that that's going to be highly optimistic, and that it will probably slide sometime into 1996. But those are the time frames that we're currently operating under; significant opportunity for discussion beginning about March 1 to March 15 and over the next few months, and then completion of a revision document sometime in 1996.

13

14 CHAIRMAN THOMAS: Patty.

15

16 MS. PHILLIPS: Mr. Chair. What's the status of the HCA that we discussed at our last meeting, the Habitat Conservation Areas?

19

20 MR. VAUGHT: Yes. As most of you probably know, and as we discussed briefly at our last meeting, there is an interim EA, environmental assessment, that has been out for public comment, and it recommended some HCA's, Habitat Conservation Areas, about 600,000 acres worth, which would provide a level of protection across the landscape for species viability, to make sure that -- it's a sustainability question. However, those HCA's are not the long-term plan, they are an interim short-term plan, and the long-term plan we intend to deal with in the revision itself, that's the purpose of the revision is to deal with the longer term. These are short-term -- the EA was designated to maintain options for the long-term land. We felt we needed to do something right away that would allow us to make sure that we had all the opportunity available to us for the long-term.

35

36 The comment period -- that EA closed December the 15th. The State of Alaska got a brand new governor, as you all so well know, and the new governor wanted an opportunity to provide his comments for the EA, and he requested that we give him some additional time to do that. He did that. We gave him until January 15th to provide us some additional comments, and he provided those, I think, January 13th. Those of you in Juneau, and probably other communities as well, may have seen in the last couple of weeks there's been a lot of press about the Governor's comments on HCA's.

46

47 There's been a lot of interaction between the timber industry and the environmental communities as well as the Forest Service that have expressed a lot of concerns. So this

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is a very political issue. As we speak this week, yesterday, today and tomorrow, there is a -- what we call a Leadership Team, it's our decision makers in the Alaska Region of the Forest Service in the regional office in Juneau, are working on trying to make some decisions about how to go forward with the EA. I think my best guess is that the next step is we've collected a lot of public information. In fact we had something over 3,000 individual comments concerning the EA, and for Southeast Alaska, that's a lot. And we are in the process of analyzing all of that public input, and we are going to have to write a final EA. The first EA was a draft EA. We're going to have to write a final EA. That may take us a month or two -- that's just a pure guess on my part. There will be an additional 30-day comment period on the final EA, and then that direction would then come into -- as direction for us, as short-term direction until the revision is completed.

17

18 MR. ANDERSON: Mr. Chairman.

19

20 CHAIRMAN THOMAS: Lonnie.

21

22 MR. ANDERSON: Mr. Chairman. Bob, one of the things that the council never gets to do, you come out with these assessments, recommendations, and Bill and I were just talking, that if these were given to us early enough that at the next regional council meeting, that if we could have a day to review and make comments on there, I think that you would get a lot more logical comments by the people that know about this than you would on your off-hand comments from a written comment period.

31

32 The other comment that I would make is that when you make these assessments, utilize the local historians, like Herman and some of the old-timers that really have been out in the streams and know the habitat and areas that need to be protected.

37

38 The other thing, of course, in Southeast we have a tremendous amount of wind shear, to speak of some areas of a mile buffer zone is not good enough in the areas. I know one time I flew into Ketchikan, about 70-mile-an-hour on a jet, and I swore that I'd never fly another time, but 70-mile-an-hour winds are very common in there, and you can imagine the buffer zone that -- trying to stick up for 70-mile-an-hour areas. I think that those areas, even on Kupreanof and Camden, it pleases me that you're taking steps to take care of these situations in the future, but the hindsight is always 100 percent. I know in Kuiu there are areas where the Forest Service came in and set buffers up, and they are blown

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down, you know, just like clear cuts. And the same thing has happened to private lands, you know. And I realize that with private and federal ownership is different, but that need here, I don't think it is the place to take care of it, but that certainly has to be discussed because almost every one of our corporations have selected prime habitat streams for logging purposes for timber. And those are issues that, you know, hindsight is always good to look at and maybe not happen again. But if we could get a work session in our next council meeting, say one day when the TLMP thing revision should be a part of the agenda.

12

13 MR. VAUGHT: When will the next session be?

14

15 MR. ANDERSON: That -- we have a fall meeting. You were saying that these --

17

18 CHAIRMAN THOMAS: October.

19

20 MR. ANDERSON: October, possibly, and that would
21 you would probably get more good information there than if
22 you go out and broadcast it to the public.

23

24 MR. VAUGHT: What you're recommending is a way to
25 accomplish this interactive process that we were discussing
26 earlier, and that may be a very good suggestion. We could have
27 day to do that, we could give you documents and information
28 well enough ahead of time so that you could review it
29 thoroughly and come with prepared suggestions. We could have
30 members of the Tongass Land Management Planning Team sitting
31 here, available to answer questions and to be a resource to us,
32 and we could spend as much time as you like to do that. And so
33 if you determine that that would be a good way to go, I think
34 it's a good suggestion.

35

36 CHAIRMAN THOMAS: I think it would be safe to plan on
37.

38

39 MR. VAUGHT: Oh, one additional comment concerning --
40 ahead, I think I covered it.

41

42 CHAIRMAN THOMAS: I've got a couple of corrections to
43 make on Lonnie's remarks. Add Lonnie's name to the list of
44 adders, for one. Secondly, scratch the implications that our
45 comments are less than practical at this meeting.

46

47 Has anybody else got questions for Mr. Vaught? Patty.

48

49 MS. PHILLIPS: This is a controversial question, but

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looking into the future, if we have certain areas designated as
2- you know, in LUD 1, 2, and so on, like in the Pelican area
BUD 2, and then we have the proposal Murkowsky's presenting to
4- for the Native land allotment, will those lands lose their
Designation if they are withdrawn from the Tongass Forest?

6

7 CHAIRMAN THOMAS: Now, before you answer I've got a
message here for Travis Smith. Is there a Travis Smith in the
Building? It's a call from Vera (ph). Somebody might want to
be Travis Smith for now. Okay, nobody here by that name.
Thank you. I'm sorry for the interruption.

12

13 MR. VAUGHT: My understanding of the Landless Bill, in
its current configuration, is that if lands are selected -- if
that bill is made law, lands are selected under that bill, they
would become private lands and no longer subject to the LUD 2
designation. So, they would change to private ownership with
all the rights of private ownership. Concerning that though, I
would like to say that a bill has not been passed. A lot of
things can and probably will happen, in terms of the discussion
in Congress -- the discussion between Congress and the people,
the discussion between Congress and the administration and
other state and federal agencies before that bill is passed,
and so it's really -- probably too early for me to know
precisely what might happen or what might transpire, and so it
would be pure speculation at this time. Congress could change
that bill significantly, and we just really don't know yet what
that outcome of that whole process is going to be at all.

29

30 CHAIRMAN THOMAS: John Feller.

31

32 MR. FELLER: Thank you, Mr. Chairman. Yeah, since
we're on the subject, Robert, of the LUD 2 land, it's my
understanding from our Landless meeting in Wrangell, there was
a proposal put in by our chairman, the Chairman of SLAC (ph)
that -- she told me about it, we could possibly select even a
week that was down there by his part of the LUD 2. That's by
the Bradfield area. But I guess I lack understanding of LUD 2
status and what it is there. It's just something that we heard
that was -- we had a proposal in that we could select lands
there once we got the status as an urban corporation. So,
maybe you could shed some light on that.

43

44 MR. VAUGHT: It's really difficult for me to shed some
light on it.

46

47 MR. FELLER: Okay.

48

49 MR. VAUGHT: And the reason is that there is so much

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that can happen to that bill before it gets signed. And, I mean, I suppose there's a possibility that it may never become law, to begin with. If it does become law, the form that it would become law in, what the rules would be for selection of lands, we simply don't know. And so it's -- so much can happen between now and the final approval when the president signs off on a bill, that it's just pure speculation to say right now. I just don't know.

9

10 Well, maybe I could address one thing about the blow down. Some of these questions are very difficult and complex to deal with. Unfortunately, the forest plan is filled with thousands of them that are just like that. The blow down problem is a real difficult one for us. If we leave buffer strips and protect the streams and they blow down, is that good, is that bad, how bad is it? Can we design them to keep them from blowing down? Those are all questions that we are trying to deal with and have been trying to deal with for a number of years.

20

21 In the Forest Service as a whole, clear cutting has been reduced very significantly across the country, and many national forests no longer do clear cutting at all. In Southeast Alaska we continue to do clear cutting because largely -- there are several reasons, but one of the important ones are the blow down issue. If you do partial cutting as a timber harvest technique and it reduces the capability or the susceptibility of a timber stand to blow down, then are you really doing a favor to the land by harvesting in that way? I think during this vision process there will be some very -- some more significant attempts to deal with the question in a more substantive way. We are going to need to figure out how to deal with the blow down question in a better way. But I think there's going to be some risk associated with that because it is -- this country is subject to blow down. And historically they have documented some very significant blow down storms covering many thousands of acres, and how often those occur and what the effects on the environment would be, in our experience, we haven't seen a catastrophic blow down of that size. But there is risk, we're going to have to try to make the best decision based on the best information and try to come up with ways that provide that -- what we feel is the best opportunity. There is no final best answer though. I think as we do this we're going to learn some things and we're going to have to modify what we do as we go into the future as we learn more and more and try to accomplish some of these different techniques that we haven't tried much in the past.

48

49 CHAIRMAN THOMAS: I have to make some mention of your
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catastrophic dimensions. The only catastrophe to nature is man. So, we need to keep that in mind. Richard.

3

4 MR. DALTON: Yes. One question, before I make a Statement. Why is it for the Forest Service so difficult to answer some questions that we ask at this point? Is it so difficult in your plan to answer our questions, some of the questions you said earlier were difficult to answer?

9

10 MR. VAUGHT: They're difficult to answer because different people have different ideas about how they ought to be answered. If everybody agrees, it's fairly simple to say this is what we'll do; we all agree. If we disagree in our society about how to go forward with something, and it seems like natural resource issues is one that we have tremendous disagreements on. There are others, and I -- like the question of abortion, for example, in our society. It's difficult to come to grips with some of these questions that half the people think one thing and half the people think another. And so when you have disagreement in your society, between members of society, between groups and society, it's -- it's what we -- the way we try to deal with that in the Forest Service is to come up with the best data, the best information, the best science, including traditional science, to try to help us sort those answers out. And coming up with information that really helps you answer these questions when you have disagreements in society is, to my experience, a difficult task. And these are the kinds of things that we deal with in a forest plan.

29

30 MR. DALTON: Now for a little statement that I have seen from personal experience with the tributaries, the rivers: For a long time, before any time of logging, all of our streams in Bonah would be full with the population of salmon of different species. And since this logging started and all the tributaries and all the poison and drainage are going down to those streams, I no longer see those little fingerlings underneath the ice. The ice is about that thick. And underneath it is maybe cohos swimming around by the millions. Even with this year with all that escapement that we had, I went to two rivers that I reach here. It's not there anymore. I think there is a lot of damage done to those little fingerlings whereby it's not productive. And why we need to -- doesn't take scientific to find out the justification of what is happening there. You could see what is happening; the damage is done by the Forest Service Department, by the clearing, the poison that's running down those drainages. That's easy to see. You don't need any justification to see whether that is right or not, but I think on our natural resources that we are the conservative people. If you can

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realize that, there's damage to those fishes. That's my statement. And I think I've lived here long enough to know what I see of the salmon industry.

4

5 MR. VAUGHT: Over the last 20 years that I have been involved with resource management in Southeast Alaska we have seen things, we have learned from our experiences. The resource protection has increased, and the question was asked earlier that, why can't we do it faster, and that is perhaps a valid criticism. But I do think that changes have occurred and that the protection of natural resources, in terms of Forest Service management, has improved, and my expectations is that it will continue to do so. But I certainly see and understand your concerns, Richard. I know what you're talking about.

15

16 CHAIRMAN THOMAS: Anybody else?

17

18 MR. FELLER: Mr. Chairman. Yeah, I'd like to commend the Forest Service, and especially their team on the Alaska Habitat Fisheries Plan, and I know my Uncle Mark, 30 years ago Mark Daley used to talk about that they needed protection on the stream and streams in Clarence Straits and Eagle Creek, and I don't even know the status of those streams myself anymore. Being a fisherman, we fish out in the ocean now. I think most of our runs are hatchery fish anyway nowadays, and even to us they're important.

27

28 And what Herman mentioned earlier was -- I think it was three years earlier -- three years ago that the summer was so hot and we had a lot of that green slime growing around Burnett Hatchery, and it did diminish the run significantly. And I'll just say that I commend them again, and this protection is much needed and much appreciated by the commercial fishermen.

34

35 Thank you, Mr. Chairman.

36

37 CHAIRMAN THOMAS: Anybody else? Thank you, Robert. Appreciate your time and indulgence.

39

40 Before you do leave though, I do have to offer you some admonition with regard to our schedule. We publish our agenda, hopefully, in enough time in advance so that people who wish to participate here, with whatever participation I think they have part of our agenda, we like to accommodate -- like in this case we are moving it up, but by doing so we're putting somebody else back that planned in their schedule to come and have on this. So, in the future, please give more consideration to the agenda, plan your time here around the agenda that you see before you and that will go a long way to

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Help us run a better meeting. There's going to be some discussion further down the agenda that's going to require some input of what you just delivered, but you won't be here for that, see. So, bear in mind, in order for us to do a good job, we all need to cooperate in going through this whole thing. But, again, I do thank you for your good presentation and your indulgence with the questions. Appreciate it, and have a safe flight home.

9

10 MR. VAUGHT: Thank you.

11

12 CHAIRMAN THOMAS: Okay, with that we'll take a
13 15-minute break.

14

15 (Off record)

16 (On record)

17

18 CHAIRMAN THOMAS: We've had a request for another
19 suspension of the rules. Would the suspension of the rulee
20 show up and take advantage of your time? Is there a Bruce in
21 the house? Front and center, Bruce, on the double. I
22 understand that you're here in the absence of Mr. Morrison.

23

24 MR. DINNEFORD: Yes, Mr. Chairman. Mr. Morrison has a
25 injury to his foot, as it turns out, and will not be able to
26 make this.

27

28 MR. VALE: Drag the mike a little closer, would you,
29 Bruce?

30

31 MR. DINNEFORD: He called Monday and said that he
32 wouldn't be able to make it, so basically I'm just able to
33 spend this afternoon.

34

35 CHAIRMAN THOMAS: You're going to have to get really
36 close to the mike.

37

38 MR. DINNEFORD: Okay. Robert Willis is close here and
39 don't want to get anything he might have, so I'll stay about
40 that far away from it. How is that?

41

42 CHAIRMAN THOMAS: I don't blame you.

43

44 MR. DINNEFORD: Okay.

45

46 CHAIRMAN THOMAS: So with that, please, fire your
47 arsenal.

48

49 MR. DINNEFORD: Okay. Thank you, Mr. Chairman. What

50

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1 I'd like to do, I'd like to

2

3 CHAIRMAN THOMAS: You might state your name and who you
4 represent so we'll know who to be angry with.

5

6 MR. DINNEFORD: My name is Bruce Dinneford, and I'm
7 with the Division of Wildlife Conservation, the Alaska
8 Department of Fish & Game.

9

10 CHAIRMAN THOMAS: Thank you.

11

12 MR. DINNEFORD: You're welcome, sir. I'd like to talk
13 from notes that I have from our staff in Southeast Alaska on
14 the first five proposals.

15

16 And I'll start with Proposal #1, which proposes a doe
17 season on Prince of Wales Island. Our Ketchikan area biologist
18 Doug Larsen prepared an excellent report, and to come to the
19 summary first, we're basically opposed to the idea of having a
20 doe season in populations where we do propose doe seasons or
21 bow/moose seasons. Similarly, it's in situations where we feel
22 the population of ungulates carrying -- has reached a point
23 where it is at the carrying capacity level of the habitat. We
24 don't feel that that's the case in Unit 2, and we see no need
25 to restrict any growth that might occur there. And any doe
26 harvest that was sanctioned would basically be saying that we
27 don't feel that the population can or needs to grow any higher.
28 We know that there is already an illegal harvest of does, and
29 there is some estimates that the total in Unit 2 could be twice
30 as high as the legal reported harvest. So we don't feel that
31 this is a proper way to go.

32

33 We have a success rate for all hunters of up to
34 percent on Prince of Wales Island, which is a very good
35 success rate. And the average deer taken per hunter is between
36 one and 1-1/2. And with a four buck season we feel that the
37 opportunity is available there for hunters that can be taken
38 advantage of now.

39

40 I think it would be easiest for me to read this next
41 line here: Based on annual pellet group surveys, deer
42 populations in Unit 2 are currently believed to be a lot to
43 moderate levels in wolf inhabited units. Like Unit 2, deer
44 densities are known to be about half as high as they are in
45 more northern wolf free units, such as Unit 4. The example he
46 gives here is the pellet counts which are reported in terms of
47 the number of deer pellet groups per square meter. What the
48 members say is they average about one per meter in Unit 2 and
49 as high as four per meter in Unit 4. So deer densities are

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much, much lower.

2

3 Another thing that comes into play on Prince of Wales
4 Island is the tremendous vulnerability of deer to hunters
5 because of the extensive series of roads on the island now.
6 Twenty, 30 years ago hunters basically accessed deer hunting
7 areas via boat. They hunted the periphery of the island. Now
8 60 percent of the harvest, approximately, comes from hunters
9 using automobiles and pickup trucks, driving the roads. In the
10 past, the interior part of Prince of Wales and other islands
11 was sort of a refuge where it was not hunted. Today that's not
12 the situation any more.

13

14 CHAIRMAN THOMAS: Your voice is fading out again.

15

16 MR. DINNEFORD: Okay. Sorry, sir. If you were to go
17 with supporting a doe season, we would urge you to be very
18 conservative. The four doe seasons seems to be very, very
19 liberal and unwarranted. I'll stop short of recommending any
20 season or bag limit, that we would prefer to see that there not
21 be one.

22

23 Would you prefer me to entertain questions about each
24 proposal as I go or just talk about all five proposals and
25 then

26

27 CHAIRMAN THOMAS: I think I would let you decide your
28 own destiny, because depending on how much time you feel you
29 have, based on how much time each one of them will take with an
30 exchange of questions and answers.

31

32 MR. DINNEFORD: Okay. I guess I would say then that on
33 this first proposal I would just entertain questions from you
34 or any of the council members.

35

36 CHAIRMAN THOMAS: Okay. You made a statement saying
37 that to have a doe season would be making a statement that
38 there was no regard for the good management of the deer on
39 Prince of Wales Island.

40

41 MR. DINNEFORD: That's over-stating it a bit,
42 Mr. Chairman. I would say that

43

44 CHAIRMAN THOMAS: I said that for lack of being able to
45 note.

46

47 MR. DINNEFORD: Yeah. When we have doe seasons,
48 generally we are making the statement that deer populations are
49 at the upper level of what their habitat can support, and we

50

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Don't feel that's the case on Prince of Wales. We feel that there's room for continued population growth of deer herds on Prince of Wales.

4

5 CHAIRMAN THOMAS: Okay. I'm going to limit my
6 questions because I know that we're going to have more analysis
7 and more depth on the subject brought up as we go through it.
8 So, rather than to react to a single viewpoint, I think I will
9 hold until we have an overall analysis delivered to us.

10

11 MR. DINNEFORD: Okay.

12

13 CHAIRMAN THOMAS: But I appreciate your input. If
14 anyone else has any questions? John.

15

16 MR. VALE: How long are you going to be here, Bruce?

17

18 MR. DINNEFORD: I have to head back this afternoon,
19 John. 4:30, I think, is the flight time, so 4:15, 4:20.

20

21 MR. VALE: Just one question then. When you're
22 considering the habitat carrying capacity for this area how do
23 you consider the logging impacts? I know, you know, for
24 example, some say that it's beneficial to deer because it
25 provides brows, and then I've heard the other part of it, well,
26 that's temporary and not long-term. I'm just wondering how
27 that entered into your thought processes.

28

29 MR. DINNEFORD: Yeah. Thanks, John. You summarized it
30 very well. In the short-term, during the non-snow months
31 especially, there is a short-term gain in the amount of brow
32 species that come back after initial clear cuts. After 20 to
33 30 years, when your second growth closes in and you get
34 closure, you get a combination of no light penetration and very
35 dense conifer growth that disallows any understory growth that
36 is of value for deer. The further south you go in Southeast
37 the less snow you have, so in one respect it becomes less of a
38 problem, but when you have basically crowded out space where
39 you can't grow your dogwood or your blueberry that are the food
40 sources for deer, it doesn't matter whether you have snow or
41 not during winter, it's not going to be useful. So, in the
42 short-term there could be some benefit for a few years.
43 That's why, at this time, we say we're not at that point yet
44 where we feel the habitat capacity has been reached yet.
45 Twenty years from now someone else might be arguing it doesn't
46 matter or -- it's not a bad idea to have doe season because
47 with the available habitat at that time this same number of
48 deer, or the estimate of deer densities that we see there,
49 could be very appropriate for what the habitat could support.

50

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1
2 CHAIRMAN THOMAS: That
3
4 MR. VALE: Okay. Could you characterize what you would
5 consider the health of the population right now in terms of the
6 carrying capacity in where we're at?
7
8 MR. DINNEFORD: I would go to those deer pellet
9 densities. You know, one per meter versus four per meter in
10 Unit 4. That gets somewhat difficult to totally understand
11 because of the lack of wolves in the Unit 4 islands, and brown
12 bears being much less efficient predators on deer as wolves
13 are. But there's probably room to increase it by some order of
14 magnitude. I don't know what that magnitude is. We can't --
15 the pellet data gives us a trend from year to year, it doesn't
16 tell us exactly how many deer are there. It tells us, we go
17 from one pellet per plot in 1980 to two pellet groups per plot
18 in 1985. Then over those five years there's probably been
19 about a doubling of the population.
20
21 MR. VALE: Thanks.
22
23 CHAIRMAN THOMAS: Referring back to your pellet count
24 and habitat, I was wondering, do you have any idea what the
25 comparison is of habitat preservation or habitat interruption
26 between Unit 2 and Unit 4?
27
28 MR. DINNEFORD: I'm not sure I understand the question.
29 You mean the amount of deer habitat that has undergone
30 logging?
31
32 CHAIRMAN THOMAS: Yeah, any kind of interruption.
33
34 MR. DINNEFORD: I'm sorry. I couldn't -- I'd just be
35 guessing. I have no information.
36
37 CHAIRMAN THOMAS: Well, what would your guess be?
38
39 MR. DINNEFORD: I have none.
40
41 CHAIRMAN THOMAS: Well, I would suggest to you that
42 it's severe on Unit 2, where it's not in Unit 4.
43
44 MR. DINNEFORD: I would agree with that.
45
46 CHAIRMAN THOMAS: Okay. Further questions?
47
48 MS. LeCORNUE: I have a question. I don't know if it's
49 time to talk about modifying this proposal. Is this the time
50

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Where we're talking about modifying this proposal?

2

3 CHAIRMAN THOMAS: No, we're referring to his comments.

4

5 MS. LeCORNU: Oh, okay. I was unclear on that because
 6 I think some of the reasons for the proposal were to make more
 7 opportunity for subsistence fisherman or hunters, and I was
 8 wondering, do you have statistics on subsistence and
 9 non-subsistence hunters?

10

11 MR. DINNEFORD: No, Vicki, we do not. We just have
 12 basically our harvest ticket data for hunting -- hunt based
 13 data, and then the way we gather the data actually is through a
 14 hunter survey. We send out a survey to a selection of hunters,
 15 and I imagine many of you have received these over the years.
 16 In the smaller communities we send out one to every person that
 17 had a harvest ticket, and all hunters, by both State and
 18 Federal law, have to have a state hunting license and a harvest
 19 ticket. So, we can sample at a real high level. In places
 20 like Ketchikan and Juneau, we sample at the 33 percent,
 21 one-third of all licensed hunters with harvest tickets get this
 22 survey.

23

24 MS. LeCORNU: They don't

25

26 MR. DINNEFORD: So I can't break that down.

27

28 MS. LeCORNU: They don't tell you if they're
 29 non-subsistence?

30

31 MR. DINNEFORD: They tell me what community the deer
 32 hunters live in.

33

34 MS. LeCORNU: That doesn't answer my question though. I
 35 mean, I see that -- we're listing 18 communities that are
 36 supposedly subsistence communities, but they are

37

38 CHAIRMAN THOMAS: Get closer to your mike, Vicki.

39

40 MS LeCORNU: Oh.

41

42 MR. DINNEFORD: Well, there's no way for me to say
 43 other than a very, very small percent of deer harvested in
 44 Southeast Alaska are taken by non-residents, and by both State
 45 law and Federal law, all of those hunters would be considered
 46 non-subsistence users. But as far as defining who is taking it
 47 for a subsistence versus a non-subsistence use, I have no way
 48 saying.

49

50

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1 MS. LeCORNU: The reason I'm making that comment is
 2 because I wanted to tell you the reason for the proposal was to
 3 make more opportunities for the subsistence hunters.

4

5 MR. DINNEFORD: Yes, ma'am, I understand that.

6

7 CHAIRMAN THOMAS: Mim.

8

9 MS. ROBINSON: I have a question. I'm not sure, Bruce,
 10 whether you'd be able to answer or not, but it's one I've often
 11 pondered on. I'm curious about when you look at data for how
 12 many deer are killed, is it taken into consideration that there
 13 are some that are harvested that are not reported?

14

15 MR. DINNEFORD: Yes, ma'am. If I could expand on that
 16 just a little bit. As I said, there's been estimates made that
 17 as many as the legal harvest are taken, not reported or illegal
 18 harvest, however you wish to consider that. There's also been
 19 an estimate that I think 30 percent is the figure of wounding
 20 loss, deer that are shot and not retrieved, and those are
 21 probably, you know, limited in accuracy, and they, obviously,
 22 range from year to year, and I can't expand on that much.

23

24 MS. ROBINSON: And is this information or guesswork
 25 that's taken or whatever, is that taken into consideration when
 26 decisions are made about how many you can harvest?

27

28 MR. DINNEFORD: Yes, ma'am. It might be easier for me
 29 to spec- -- or to use an example setting moose season, which we
 30 consider basically -- let's say 10 percent of your existing
 31 population could be harvested. We have our population
 32 estimate, we then say what is the allowable harvest, how many
 33 do we think, what number, what percent above that allowable
 34 harvest might be taken illegally, might succumb to starvation
 35 the winter, might succumb to predation, and estimate -- take
 36 look at all the numbers and see if that falls within
 37 acceptable percent level, and if so, then we feel it's an
 38 appropriate harvest. Same thing goes on with probably a little
 39 less precision with deer, because we don't have survey data
 40 that tells us how many deer we have.

41

42 MS. ROBINSON: About five years ago there was a study
 43 that was done -- I know around Southeast, I don't know if it
 44 happened elsewhere in the state, I know Bob was involved in
 45 that -- where people came out to the community and did house to
 46 house surveys, and I'm assuming that some -- and the way the
 47 study was done, probably some pretty accurate information came
 48 forward on that about how much food was actually taken, you
 49 know, and is that information from that study used to help

50

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determine as accurately as possible how much illegal or not
unreported harvest is taken?

3

4

5 MR. DINNEFORD: Yes, ma'am. I'm familiar with the
6 study you're speaking to, and both of us in the Wildlife
7 Division and people in the Subsistence Division realize that
8 there are problems with reporting -- especially from smaller
9 communities, there are problems with the way we have been
10 surveying, because over time about the third year you get one
11 of these surveys -- I see you shaking your head, maybe you've
12 been the victim of survey burnout, is what the social
13 scientists call it, and you go, "Another survey from Fish and
14 Game. Well, bologna, I'm not going to do it this year."

15

16 MS. ROBINSON: Yeah, in the garbage.

17

18 MR. DINNEFORD: Right, into the round file, we realize
19 that. Our reported harvest -- you know, we don't talk to every
20 hunter and we don't absolutely believe every number that we
21 receive from every hunter, so our reported harvest figures have
22 to be expanded from the information we have, extrapolated out
23 for the number of hunters we know are out there. So they are
24 estimates. They're better than just a guess. How much better,
25 don't now.

26

27 One further thing. On some of our reports we get
28 hunters telling, even though they say, let's say a State 4 deer
29 bag limit or a Federal 6 deer bag limit, we get people
30 reporting that they take 8 deer or 15 deer, and I tend to
31 believe that. The responses are anonymous, there's no way we
32 can track who has sent us this response, and it might be
33 somebody trying to pull our chain, frankly, but I tend to
34 believe this happens. And even using those higher numbers, the
35 example I've given on Prince of Wales Island, we still come up
36 with an average take per hunter of 1.5 deer. So this gets back
37 to Vicki's question of providing opportunity that we feel that
38 with a five-month season 4 buck bag limit, that opportunity is
39 being provided for.

40

41 MS. ROBINSON: Thank you.

42

43 CHAIRMAN THOMAS: Are there any questions? Okay. Next
44 proposal.

45

46 MR. DINNEFORD: Okay, sir. Proposal #2 refers to the
47 proxy hunt for deer in Units 1 through 5, and basically the
48 proposal, as written, starts to get about to where the state is
49 with its proxy law, and I think probably Ken Thompson or

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Robert Willis or others will have more to say about the comparison later.

3

4 There are some things that we don't feel are appropriate in the proposal before us. One is that as written the state law says that you must be either 65 years old or 70 percent disabled before this proxy privilege can come into being, and the way it's written it says a qualified subsistence user. So, the person receiving this benefit could be the picture of health.

11

12 CHAIRMAN THOMAS: Okay, so your proxy hunt is our version of the designated hunter; is that correct?

14

15 MR. DINNEFORD: Yes, sir. Another one is that, as written, any qualified subsistence user living in 1 through 5 could hunt deer in any unit in Southeast Alaska, even if that person is not a qualified rural resident of the unit in which hunting does occur. It would probably be most appropriate if the person for whom the proxy hunting is being done was a resident within that community -- within that game management unit, to be consistent with the definition of a rural subsistence user.

24

25 There's also language that says the retrieved meat needs to be surrendered to the proxy, and it doesn't address the aspect of all the edible meat. In other words, if hunter 28 if the designated hunter were to bring in just the hindquarters and leave the front in the field, who is in violation? It does not state that he has to retrieve all the edible meat, it simply states that he or she must surrender what is salvaged through the proxy. So there is a problem.

33

34 CHAIRMAN THOMAS: Excuse me.

35

36 MR. DINNEFORD: Yes, sir.

37

38 CHAIRMAN THOMAS: I don't think that's a fair assumption to say that's a problem. I've been here for 60 years and when anybody delivers usable meat, to my interpretation, represents the whole carcass. That's everything. To do anything less than that is usually done by people not of the area. And I think you can quote now what recently happened in Unit 4, that made the news of the carcasses that were found with just the hindquarters missing, and there is no hunter provision in place at this point.

47

48 MR. DINNEFORD: Right. I think just simply saying that 49 the edible meat, you know, inserting that language would

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cover it, just so, you know, legally

2

3 CHAIRMAN THOMAS: We're talking subsistence now.
 4 Subsistence in its truest form is the most innocent use of any
 5 resource. When people talk subsistence they're committed to
 6 subsistence, and I want you to remember that. Now, we don't
 7 want to take the baggage brought in by people that don't have
 8 those same commitments or disciplines of usage. Thank you.

9

10 MR. DINNEFORD: If the proxy hunter were to receive 6
 11 deer and the proxy tells the designated hunter, gee, that's in
 12 excess of my needs, we're not sure where those other 4 deer
 13 would go, what's the responsibility?

14

15 CHAIRMAN THOMAS: We, being whom?

16

17 MR. DINNEFORD: We, the State. We're not sure of the
 18 clarity in the proposal.

19

20 CHAIRMAN THOMAS: Not to worry. Like I said, with the
 21 subsistence harvest, that will be used. It will be somebody's
 22 subsistence.

23

24 MR. DINNEFORD: Right. Well, I understand where you're
 25 coming from and the philosophy of subsistence. I'm
 26 addressing

27

28 CHAIRMAN THOMAS: No, it's not a philosophy, it's a
 29 practice.

30

31 MR. DINNEFORD: I'm addressing the language in the
 32 proposal, not the practice, sir.

33

34 CHAIRMAN THOMAS: Okay.

35

36 MR. DINNEFORD: Probably the main situation we don't
 37 see addressed in the proposal is the reporting requirements,
 38 it's not clear. And we have had problems with this in the
 39 State system. I think we have a better way of dealing with it
 40 now that it's the responsibility of the proxy, not the person
 41 or pardon me, the beneficiary, not the person doing the
 42 hunting. In other words, if you were going to hunt for me, and
 43 you bring in 3 deer or whatever, then it's my responsibility to
 44 report that, should I be later surveyed. It wouldn't be your
 45 responsibility, that your responsibility would pretty much end
 46 once you surrender that deer taken to the person for whom
 47 you're hunting, and then it would be my responsibility. I
 48 might have to contact you and say, where did you hunt, were you
 49 on the north or south end of island or whatnot. But that

50

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2

3 CHAIRMAN THOMAS: I hate to be crude, but we're getting
4 into areas now where I consider that doesn't even warrant a
5 response.

6

7 MR. DINNEFORD: Well, we feel that keeping track of the
8 harvest is one of the utmost important things in making sure
9 that the resource is there and it's there for the user.

10

11 CHAIRMAN THOMAS: I agree with that, but your track
12 record of management doesn't support the argument that you're
13 bringing forth.

14

15 MR. DINNEFORD: Well, we have a difference of opinion
16 then.

17

18 CHAIRMAN THOMAS: Patty.

19

20 MS. PHILLIPS: I didn't understand your last comment.

21

22 MR. DINNEFORD: On the reporting?

23

24 MS. PHILLIPS: Yeah.

25

26 MR. DINNEFORD: As written, it's not clear who is
27 responsible for reporting the harvest, and we just prefer to
28 see it clearly stated, whether it's the designated hunter or
29 the beneficiary. Who is responsible for -- you know, should
30 you receive the report and you didn't hunt yourself, do you
31 give it to your brother or your sister who did the hunt for you
32 do you report?

33

34 MS. PHILLIPS: In the proxy hunt who reports?

35

36 MR. DINNEFORD: For the state, the way it is now it's
37 the person who is receiving the meat, the beneficiary.

38

39 MR. DALTON: Mr. Chairman, let him go by me again, that
40 last statement he made.

41

42 CHAIRMAN THOMAS: Would you repeat your last comment
43 again, please, Bruce?

44

45 MR. DINNEFORD: Who is responsible for reporting, the
46 person who is the recipient of the game?

47

48 MR. DALTON: Of the meat, okay. And at that time then
49 his or her possession, it's talking here about who is in

50

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possession. Is that correct on this one here, Proposal 2?

2

3 MR. DINNEFORD: Right.

4

5 MR. DALTON: On a proxy, that is?

6

7 MR. DINNEFORD: Right. It says that no more than two
 8 bag limits or two bag limits could be in possession, so if you
 9 had a 4 deer bag limit, the designated hunter -- my
 10 understanding of the proposal is that the designated hunter
 11 could have 8 deer in his or her possession.

12

13 MR. DALTON: In other words, it would be allowed that
 14 he would get 4 deer, if that's the case, on a person that is
 15 being hunted under proxy for that individual; is that correct?

16

17 MR. DINNEFORD: I'm sorry. Say again, sir.

18

19 MR. DALTON: I'm just a little bit lost, but I want to
 20 get a clarification. If a person goes out hunting and he
 21 brings in 4 deer for a person that holds a proxy, he gives him
 22 the proxy and he comes back and he's got 4 deer and he gives
 23 that individual 4 deer, is that a legal deposition?

24

25 MR. DINNEFORD: That's my assumption, the way the
 26 proposal is written.

27

28 MS. ROBINSON: You could even have four more.

29

30 MR. DALTON: Well, I'm asking the question of the
 31 gentleman. I want him to answer to me.

32

33 MR. DINNEFORD: My understanding, if you were going to
 34 be the designated hunter for Mim and the bag limit was 4 deer,
 35 you could legally have 8 deer in your possession; your bag
 36 limit and her bag limit.

37

38 MR. DALTON: In other words, I would have 8 deer in my
 39 possession.

40

41 MR. DINNEFORD: Right.

42

43 MR. DALTON: I would give her or his 4 deer,

44

45 MR. DINNEFORD: Yes, sir.

46

47 MR. DALTON: and I would still have -- well,
 48 that's what I -- I asked for a clarification, and that's
 49 something to me that was not clear in my mind. So we need to

50

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know and understand the language of legal depositions.

2

3 MR. DINNEFORD: Yes, sir.

4

5 MR. DALTON: Thank you.

6

7 CHAIRMAN THOMAS: Anybody else?

8

9 MS. WILSON: I have a question on -- Mr. Chair.

10

11 CHAIRMAN THOMAS: Marilyn.

12

13 MS. WILSON: I know we do all our surveys by paper. I
~~d~~ didn't get his name the first time. Bruce?

15

16 MR. DINNEFORD: Bruce, yes, ma'am.

17

18 MS. WILSON: Bruce, we do all our surveys by books and
~~p~~ papers, and I know we have a hard time in answering everything
~~t~~ that we get in the mail and that sort. Like the seal survey
~~t~~ that the State Fish & Game now do for -- they contracted with
~~t~~ the Federal government -- they can do it by phone sometimes.
~~C~~ Can this be done with the deer harvest?

24

25 MR. DINNEFORD: Yes. Earlier there was a comment made
~~a~~ about the difference between our mail-out surveys and the
~~s~~ surveys that the Subsistence Division has done in some
~~c~~ communities. Angoon stands out primarily in my memory in that
~~w~~ we have, for whatever reason, traditionally had a real low
~~r~~ response rate from the mail surveys from Angoon and some of the
~~s~~ smaller communities. When representatives from the Subsistence
~~D~~ Division visited there, they did get a much better response.
~~S~~ So, yes, that is another way of getting information. It's just
~~B~~ when up to us to figure how to compare that information, you
~~k~~ know, face to face interviews versus mail-in situations, and
~~t~~ here's probably some differences with some communities, maybe
~~p~~ people in bigger communities are more used to dealing with
~~t~~ things through the mail and writing down answers, and those of
~~i~~ in smaller communities are more used to talking things out.
~~S~~ So, I would suspect that you're absolutely correct, that could
~~g~~ give us a much more accurate -- it's more labor intensive, for
~~e~~ re, to send someone into every community and to try to talk
~~e~~ every hunter, and it would, I dare say, be impossible to try
~~t~~ do it in every community.

45

46 CHAIRMAN THOMAS: Mim.

47

48 MS. ROBINSON: I was just wondering how much you've
~~t~~ taken advantage of phone calls. And before you answer, I just

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Wanted to state a couple of winters ago, it was in January, I think, there was a decision being made whether or not to extend the hunting, I think, on federal lands. And a phone call was made to me from the Forest Service office, I think, and, you know, asking well, how's the hunting been down in your end of the island there? And in a small enough community, you get a pretty good idea who has been out hunting and what they've been getting, and what the success rate has been and what the -- you know, how many deer have been -- shown up on the beaches 'cause off a lot of snow or whatever. I mean there's a lot of local knowledge that you're not going to -- the only way you're going to get easily and inexpensively through phone calls rather than actually going to the sites. And I'm just wondering how -- I don't know, I've found that to be a very -- I thought it was a good way to deal with it. It's nice having that personal contact, too, knowing that someone actually cared about the fact that, well, we haven't quite gotten enough deer yet this season, and another month would be really helpful. Thank you. You know. And so is that -- does the state ever do that?

20

21 MR. DINNEFORD: Yes, ma'am. In fact in 198- -- no, 201, whichever year it was we closed the season in Unit 4 about three weeks early, in situations like that we frequently use that. We don't use that technique on an annual basis to ask, you know, how many deer did you kill this year, how many days did you spend out in the woods, what drainage were you in. So we don't use it on that. But the combination of -- by attending, you know, our Fish & Game Advisory Committee meetings and phoning people who we know to be active trappers or hunters or fishermen, whatever the resource issue is, we use that, but not in a fashion that you would say every year we contact the same people or the same number of people to say that year to year this is a scientific, if you will, tool that gets used.

34

35 MS. ROBINSON: Thank you.

36

37 CHAIRMAN THOMAS: Anybody else? Thank you. Next proposal.

39

40 MR. DINNEFORD: Okay. Thank you, Mr. Chairman. Proposal 3, you have seen before, and I would suppose we will see again in the future. This is the proposal that would eliminate current federal antler restriction season on moose in Slikine drainage. Currently there is a spike fork, 50-inch, three brow tine restriction, which basically affords protection to the prime breeding age bulls in that protection. This is the proposal that was implemented by the Federal Subsistence Board last fall, I believe, as the first year. Two years ago at the State Board of Game we wished to implement the same

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restriction. Currently the state regulation is any bull, one bull, any bull for a four-week season. There were some questions from our Department of Law about whether this was an appropriate way to do because of possibly going to a Tier II hunt, which I don't know -- you probably don't need me to go into what that is. You probably understand that very well. But to make a long story short, we are in full support of the federal season as it now exists. And in about six weeks I'll be before the Board of Game asking them to change the State season to a spike fork, 50-inch, three brow tine season. So, I think that's basically all I need to say, that we are in support of the current Federal season.

13

14 CHAIRMAN THOMAS: Thank you. Any questions for wildlife support? Thank you. Next proposal.

16

17 MR. DINNEFORD: Okay, sir. Proposal 4 is the proposal, believe, from Yakutat, John, for a designated hunter, similar to the proposal we talked about for Proposal #2 for deer hunting in Units 1 through 5, and, basically, rather than going over the same points where we talked about deer, I would just say that our concerns are the same and our position is the same.

24

25 CHAIRMAN THOMAS: Okay. Next.

26

27 MR. DINNEFORD: Okay. The last Southeast proposal, we support opening the marten season in Unit 4 for the one month season, but we will not have a problem if the season is not opened. Basically, the way marten biology works, as long as you have healthy habitats for marten, their abundance is basically a reflection on their primary food source. In Unit 4 there's a small critter called the long tailed vole.

34

35 Our research, which has been going on for five years now, has shown in the last year and a half the number of voles has drastically increased, and studies of the marten numbers as well is showing an increase. Were there to be a trapping season in the coming fall, we feel that there could be, again, a limited trapping season, and we endorse the current restriction to trap via land vehicles. We feel this affords the population the protection it needs, and that we wouldn't support any change in that regulation.

44

45 If you were to have a season this coming fall, the rate of recovery of the population would be slowed to some degree. If you were to wait until the fall or -- pardon me, the winter of '96 to have a season, the population will probably rebound to some higher level. Again, I doubt that there will ever be a

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technique that we can use to level out the road population. That's one of those wildlife phenomena that goes in some cycle, generally seven to ten years, and there's not a way for us to break that.

5

6 I would recommend, if you should open a season, to be conservative and to ask both the federal and state biologists to keep track of the harvest in season as much as possible so should they see a harvest that exceeds what they feel is acceptable, they can close it.

11

12 CHAIRMAN THOMAS: Questions? John.

13

14 MR. VALE: Yeah. Bruce, will your comments be available in writing to us?

16

17 MR. DINNEFORD: Just as they have previously been provided, through John Morrison.

19

20 CHAIRMAN THOMAS: Yeah, we have copies of their position.

22

23 MR. VALE: Okay, thanks.

24

25 CHAIRMAN THOMAS: Thank you very much. Again, before you leave, by telling Ken that you can't get away with interrupting our agenda without an ass chewing, so when you see an agenda like this in advance time, I would hope that your schedule would be around what the agenda shows, because some of this has a tendency to disrupt the continuity of our discussions when we get to individual proposals. We like to give proposals our best attention and the best exchange to come up with, what we feel, is the best recommendation.

34

35 MR. DINNEFORD: Yes, sir.

36

37 CHAIRMAN THOMAS: We really appreciate your indulgence. Thank you very much.

39

40 MR. DINNEFORD: I appreciate your bending your schedule so I could do what I could. Thanks.

42

43 CHAIRMAN THOMAS: Thank you. We're going to take a break to acknowledge the entrance of some royalty from Juneau. Al McKinley is the incumbent grand president of a fine organization, the Alaska Native Brotherhood, indigenous to the State of Alaska, subsistence background, customary and additional lifestyle. In his entourage he brought with him the president of the Southeast Native Subsistence Commission,

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Harold Martin. Stand and be recognized. Let's give him a round of applause.

3

4 Also part of that entourage is Bob Schroeder, also from Juneau. I want you guys to know you're the only one that got any applause this session so far. That's the end of our break.

8

9 Are we ready for proposals, Madame Coordinator? You've seen the -- under New Business, an application to process, so I'm going to turn this part of the agenda over to Carol Jorgensen. She'll explain to you, as she goes along.

13

14 MS. JORGENSEN: Thank you, Mr. Chairman. We need to recognize that a number D on the agenda, we have Regional Council Charter, and I'm hoping that's in this booklet here. In any event, we just got the charter signed. We were kind of celebrating this last week, and about one week ago we got word that Secretary of Interior Bruce Babbitt signed the Southeast Alaska Charter. Had that not been signed, we couldn't have -- we would have had to cancel the meeting because our last charter went -- was finished in December of this last year. We're, I think, getting copies of that charter right now. And I would like to read the charter for everybody's information. I have a copy here:

26

27 UNITED STATES DEPARTMENT OF THE INTERIOR CHARTER

28

29 SOUTHEAST ALASKA SUBSISTENCE REGIONAL ADVISORY COUNCIL

30

31 Official Designation: The Council shall be designated as the Southeast Alaska Subsistence Regional Advisory Council.

33

34 Objectives and Scope of Activity: The objective of the Council is to provide an administrative structure that enables rural residents who have personal knowledge of local conditions and requirements to have a meaningful role in the management of fish and wildlife and the subsistence uses of those resources on public lands in the region.

40

41 Period of Time Necessary for the Council's Activities and Termination Date: The Council is expected to exist into the foreseeable future. Its continuation is, however, subject to the rechartering every biennial anniversary of the Alaska National Interest Lands Conservation Act of December 2, 1980. The Council shall take no action unless the requirements of the Federal Advisory Committee Act have been complied with.

48

49 Official to Whom the Council Reports: The Council reports

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to the Federal Subsistence Board, Chair, who is appointed by the Secretary of the Interior with the concurrence of the Secretary of Agriculture.

4
5. Support Services: Administrative support for the activities of the Council will be provided by the US Fish & Wildlife Service, Department of the Interior.

8
6. Duties of the Council: The Council possesses the authority to perform the following duties:

11
12 (1) initiate, review and evaluate proposals for regulations, policies, management plans, and other matters relating to subsistence uses of fish and wildlife on public lands within the region;

16
17 (2) provide a forum for the expression of opinions and recommendations by persons interested in any matter related to the subsistence uses of fish and wildlife on public lands within the region;

21
22 (3) encourage local and regional participation in the decisionmaking process affecting the taking of fish and wildlife on the public lands within the region for subsistence uses;

26
27 (4) prepare the annual report to the Secretary containing the following:

29
30 A. An identification of current and anticipated subsistence uses of fish and wildlife populations within the region;

33
34 This kind of answers an earlier concern.

35
36 B. An evaluation of current and anticipated subsistence needs for fish and wildlife populations within the region;

39
40 C. A recommended strategy for the management of fish and wildlife populations within the region to accommodate such subsistence uses and needs;

43
44 D. Recommendations concerning policies, standards, guidelines and regulations to implement the strategy;

47
48 (5) appoint one member to the Wrangell-St. Elias National Park Subsistence Resource Commission in accordance
50

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With Section 808 of ANILCA;

2

3 (6) make recommendations on determinations of
4 customary and traditional use of subsistence resources;

5

6 (7) make recommendations on determinations of rural
7 status, and, last,

8

9 (8) provide recommendations on the establishment and
10 membership of Federal local advisory committees.

11

12 The Council shall perform its duties in conformity with
13 the Operating Manual for Federal Subsistence Regional Advisory
14 Councils.

15

16 Estimated Operating Costs: Annual operating costs of the
17 Council are estimated at \$100,000, which includes one
18 person-year of staff report.

19

20 Meetings: The Council shall meet at least twice each year
21 at the call of the Council, Council Chair, Federal Subsistence
22 Board Chair, or designated Federal official, with the advance
23 approval of the Federal Subsistence Board Chair or the
24 designated Federal officer, who shall also approve the agenda.

25

26 Membership: The Council's membership shall be as follows:
27 Thirteen members who shall be knowledgeable and experienced in
28 matters relating to subsistence uses of fish and wildlife and
29 the rural residents of the region represented by the Council.

30

31 Members shall be appointed by the Secretary of the
32 Interior with the concurrence of the Secretary of Agriculture,
33 based upon the recommendations of the Federal Subsistence
34 Board.

35

36 Vacancy: Whenever a vacancy occurs among Council
37 members appointed under Paragraph 9, the Secretary shall
38 appoint an individual in accordance with Paragraph 9 to fill
39 that vacancy for the remainder of the applicable term.

40

41 Terms of Office: Except as provided herein, each
42 member of the Council shall serve a three-year term unless a
43 member of the Council resigns prior to expiration of the
44 three-year term or he/she is removed for cause by the Secretary
45 upon recommendation of the Federal Subsistence Board. Of the
46 Council members first appointed under Paragraph 9, four shall
47 serve for a term of one year from the date of their
48 appointment, four shall serve for a term of two years from the
49 date of their appointment, and five shall serve for a term of

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three years from the date of their appointment. Members shall be notified of their appointment in writing. If resigning prior to the expiration of a term, members shall provide a written resignation.

5

6 Chair: Council members shall elect the Chair for a one year term; the first elected Chair may serve a term of less than one year.

9

10 Removal of Members: If a Council member appointed under Paragraph 9 misses two consecutive regularly scheduled meetings, the Chair of the Federal Subsistence Board may recommend that the Secretary of the Interior, with the concurrence of the Secretary of Agriculture, remove that individual.

16

17 This is one noted change from previous charter. It was before three consecutive meetings.

19

20 Compensation: Members of the Council shall receive no compensation as members. Members shall, however, be allowed travel expenses, including per diem, in the same manner as persons employed intermittently in Government service are allowed such expenses under 5 USC 5703.

25

26. Designated Federal Officer: The designated Federal Officer, pursuant to Section 10(e) of the Federal Advisory Committee Act, shall be the Federal Regional Coordinator, or his/her designee.

30

31. Last, Authority: The Council is established by virtue of the authority set out by the Alaska National Interest Lands Conservation Act, 16 USC 3115, 1988.

34

35 And it's signed by Bruce Babbitt, January 13, 1995.

36

37 And we're very grateful that he signed it or we couldn't have had this meeting.

39

40 CHAIRMAN THOMAS: On my copy, under Compensation, it says not to exceed over \$1,200 a day.

42

43 MS. JORGENSEN: Oh, wishful thinking. On the second part of the agenda, my portion here, we talk about Council nominations and application process for 1995. Council nominations are now open and will be until February 28 of this month. If you are interested in nominating yourself or if you have others that you want to nominate, you would -- we have forms back there and the appropriate forms and the instructions

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for the nomination process. The nominations will close, as I said, February 28. Please get them to me or the address there at the US Fish & Wildlife office, and we will make sure that your nomination is in the packet.

5

6 Based on that, there's a panel set up, a review
7 committee, and they review all the applications, go over them,
8 and then there's decisions made, based on that. They require
9 that you be a rural resident. You would be representing -- if
10 you were designated you would not be representing just a
11 community, you represent areawide Southeast Alaska, so, it's
12 incumbent on the council members to always, before they come to
13 meetings, seek different communities feelings on these
14 proposals.

15

16 If you can hold a town meeting, if you can hold
17 informational meetings -- a good one is at your ANB or ANS, or
18 Tlingit and Haida or your city council, however people meet in
19 communities. Use those forums to get information out to the
20 public about this process because this process is only as good
21 as how much the public gets involved. And one of the things
22 we've seen in the past that has failed before is we have not
23 done enough public outreach. And we're committed to public
24 outreach. We need to hear people's concerns, points of view,
25 and they do make a difference. Your opinions are heard and
26 they do make a difference. So it's incumbent on the public to
27 also reach out to their council members as the council members
28 reach out to the public, because this is a public process.

29

30 So with that, Mr. Chairman, I'll close my portion.

31

32 CHAIRMAN THOMAS: Not quite. I've got you listed to
33 introduce the proposals. But I will offer some commentary
34 while you're getting set up there.

35

36 MS. JORGENSEN: (Whispers to Chairman Thomas)

37

38 CHAIRMAN THOMAS: Did you all hear that? The process
39 for each procedure is listed on the agenda. We have some
40 concerns in the past that all the white people were taking up
41 all the time on these proposals. I happen to like it that way,
42 that's how it's going to be. They're going to give us all
43 the technical information we need around these proposals.
44 Nobody is going to be denied at anytime to comment, but we do
45 have a process that we're going to follow. So don't be
46 discouraged. Be patient, be cooperative, and support your
47 local chairman. Thank you.

48

49 MS. JORGENSEN: I'll go ahead and read. The first

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regulation is Proposal #1. The existing regulation is for Unit 2: Deer. Unit 2, Prince of Wales area. And presently it reads: four antlered deer, and the time is August 1 through December 31.

5
6 The proposed regulation, Unit 2, Deer, would be four deer. That means antlerless, August 1 through December 31. However, antlerless deer may be taken only from October 15 to December 31.

10
11 With that, I'll turn it over to Robert -- or to Rachel.

12
13 MS. MASON: Thank you. I'm going to be giving the social-cultural data, which will be followed by Robert Willis, giving biological information, and then he'll give a conclusion to this discussion.

17
18 Subsistence hunters for deer in Unit 2 now include not only the rural residents of Prince of Wales Island but also some people from the neighboring units as well, and that includes Units 1-A and Unit 3. It was just now brought to my attention that Wrangell was inadvertently left off of here, but they are one of the 18 communities that now do have customary and traditional use of deer in Unit 2. So my apologies to Mr. Feller and to anybody else from Wrangell that are concerned about this. The same things do apply though.

27
28 According to ADF&G data from 1987, the primary industries in the communities that are affected by this proposal are the timber industry and commercial fishing. Some of the communities are more dominated by logging and some are more dominated by commercial fishing.

33
34 Deer is the most important land mammal harvest for those who hunt in this area. It averages about 20 percent of the annual harvest of these communities. And in some of the 18 communities that do have subsistence hunting for deer, it's more than 20 percent. The annual harvest of deer in Unit 2 has averaged about 2,900 deer annually since 1984 and there hasn't been too much variation among years. The number of deer harvested per hunter per year has been pretty constant also. It's varied between 1.3 to 1.6 deer per hunter, and according to studies by the ADF&G Subsistence Division, approximately 44 percent of the deer taken during the years between '87 and '92 were taken by subsistence hunters.

46
47 Currently the open season for deer hunting is between August 1 to December 31. Traditionally, both in Tlingit and Haida tradition they were hunted all year round as needed, and

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Bucks were -- mainly does were taken from November through February, but allowing antlerless deer to be taken between October 15 and December 31 would conform to Native traditions of deer hunting.

5

6 Currently on Prince of Wales Island, the deer are shot with rifles off the road system in areas that can be accessed by motor vehicle, either from motor vehicle or in roads from motor vehicles or from commercial fishing boats or skiffs or by foot, and it's done along the extensive inland road system. Deer hunting is also often undertaken in conjunction with commercial activities, such as fishing. It can be also combined with subsistence fishing. Prince of Wales Island is used as a hunting ground by nearby communities which have had constraints on hunting in their own areas, so that the area that's closest to Petersburg, for example, was closed to hunting in the mid-'80s and residents have had to travel to areas where deer were accessible. And so this Unit 2 deer, this Prince of Wales Island is one of the places they have traveled to hunt. So, this does raise the question of what added pressure there might be on the deer population if a doe hunt is permitted.

23

24 So with that, I'll turn it over to Robert.

25

26 MR. WILLIS: Thank you, Rachel. I also wanted to thank Bill for pointing out my late arrival to everyone in the house. It's nice to be noticed when you're not here, even if only to be chided for being late. Incidentally, although some of you may not be aware of it, there's a small piece of Alaska that lies to the north of Yakutat, and it also has a regional council and numerous subsistence issues, and it was one of those that kept me in Anchorage till late yesterday.

34

35 Bruce gave us a good overview of the deer population on Prince of Wales. We agree that it is currently stable, with low to moderate levels. It's not as high as it was during the mid to late '80s when it was probably at its peak. We've had a number of mild winters though, and there is abundant brows at the present time, following the clear cuts. If we look for -- if we have a severe winter we expect a pretty severe decline in the population because of the loss of overgrowth timber and the fact that the brow that's available in those clear cuts would not be available under those conditions. Currently, the deer population is probably a little bit -- is at or below carrying capacity, although, as Bruce pointed out, over the long term in the next decade or two you can expect it to see above carrying capacity as the amount of deer habitat declines.

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1 The current regulation, August 1 to December 31, the
 2 season and four antlered deer has been in place since 1988.
 3 And the last doe hunt was held in 1987, and there was quite a
 4 furor in that grew up around that hunt. It was by the Klawock
 5 Advisory Committee, and the proposal was for a three-week
 6 season in October and a one doe limit. There were about 200
 7 doe harvested deer in that season, but it proved to be
 8 extremely unpopular in the local area, and there were many
 9 complaints prepared and letters written to ADF&G and even to
 10 Congressman Don Young's office saying that this is a bad idea
 11 and shouldn't be repeated. As a result of that, ADF&G held an
 12 emergency session in the spring of '88 and specifically removed
 13 that doe hunt from the regulation from the next years. The
 14 reason for the emergency session, being that deer would not
 15 have been -- normally have been taken up at that spring board
 16 meeting. So, there's been a lot of concern and a lot of
 17 opposition in that past to doe hunting in the area.

18

19 The fact that we haven't had a doe season down there
 20 except for that one year for quite a few years and the
 21 opposition that's surfaced because of that one makes it
 22 difficult to predict, from a biological standpoint, what the
 23 harvest would be. We don't know what the interest is in
 24 harvesting doe, and as a result about all we can do is
 25 generalize and say that when you harvest doe you have a much
 26 greater impact on the deer population than you do when you
 27 harvest buck, simply by virtue of the fact that one buck can
 28 breed a number of does.

29

30 The accessibility was also mentioned by Bruce. We have
 31 good accessibility in Prince of Wales Island, Unit 2, both by
 32 road and by boat, and this also increases the chances for a
 33 significant harvest due to a change in regulations. Because of
 34 these concerns, we feel that the proposal in its present form
 35 is a little bit too extreme for a first step, and we would
 36 prefer to see the Council find out, first of all, how much
 37 interest there is in harvesting does in this area, and we as
 38 biologists would like to know what type of a harvest we can
 39 expect, and get some background before we go forward with long
 40 seasons and liberal bag limits, such as is proposed here.

41

42 So, our recommendation was if you choose to support a
 43 doe hunt, that there be a much more conservative hunt than that
 44 which is proposed, which was 2-1/2 months of season, and four
 45 the four does in the limit, and go with no more than one doe
 46 season, probably a month or so in length, and I would assume
 47 that the local people would want that to be sometime during or
 48 shortly after the rut, which seems to be the period of time
 49 that the bucks have less fat on them and are less desirable for
 50

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Harvest.

2

3 And I believe that's it, Mr. Chairman.

4

5 CHAIRMAN THOMAS: Carol.

6

7 MR. WILLIS: Carol -- excuse me. Carol has the public
8 comments also, which she'll be providing. We did get quite a
9 few public comments on this proposal.

10

11 MS. JORGENSEN: The public comments, we had eight, and
12 just received one last night, with a long petition of many,
13 many people from Thorne Bay. I don't want to change any of the
14 words of what the people said, so I'm going to read them.
15 They're synopsized here.

16

17 Proposal 1, opposed. A liberalization of this
18 magnitude in conjunction with the unit's high rate of wolf
19 predation would unduly jeopardize the deer population. The
20 usual reason for having a doe season is to curtail population
21 growth and prevent over-use of the food supply. Pellet group
22 counts and hunter survey information indicate that the deer
23 population is at a low to moderate level. Given the
24 uncertainty about the sex ratio of the deer in Unit 2, it is
25 highly inadvisable to allow such a drastic liberalization for
26 taking does. It is wiser to allow the doe harvest to begin
27 more conservatively than assesses possibilities for further
28 liberalization. That's from the Alaska Department of Fish &
29 Game.

30

31 Then there's one from Golden -- Gretchen Goldstein,
32 Point Baker, Alaska. It seems dangerous to allow everyone who
33 hunts Prince of Wales Island to take four does. Given 1.
34 Thousands and thousands of acres of habitat destroyed by clear
35 cut logging. 2. Thousands more acres are due to be clear cut.
36 There is a healthy wolf population on the north end of the
37 island, for the island is hunted heavily by residents of
38 Ketchikan, Wrangell, Petersburg, all of whom are eligible for
39 subsistence. Perhaps a limit of two does to island residents
40 only would be more reasonable. Has a study of de-populations
41 been done? Things have been pretty slim on the north end of
42 the island for several years. Hope you will contact the local
43 advisory committee before implementing a policy.
44 Gretchen Goldstein.

45

46 The third comment is from a Mike Belfrey, Ketchikan,
47 Alaska. I'm against Proposal 1. The deer population is now
48 stable, but if a female deer is allowed to be harvested, the
49 population would be in decline in short order.

50

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1
 2 Then another one is from Mike Oftedoll (ph) -- I hope
 3 I'm pronouncing that correct, from Ketchikan. I believe
 4 changing the take of deer from zero does to four does is unwise
 5 and too unrealistic. Let's not endanger the deer population on
 6 Prince of Wales Island with any measures like this just to
 7 please a few hunters who don't want to have to leave the road
 8 to kill a deer. Why not allow only one or two does a year,
 9 from November 1 to December 1, or during the rut.
 10 Mike Oftedoll, Ketchikan, Alaska.

11
 12 Then there's one from Sitka Conservation Society (sic),
 13 Sitka, Alaska. Opposed. The herd is still building and a doe
 14 hunt would hinder that growth. Our priorities should be the
 15 game first. Petersburg Fish & Game Advisory Committee,
 16 Petersburg, Alaska.

17
 18 We are opposed -- I'm sorry, that one was from
 19 Petersburg. This one is from Sitka. They ran together here.
 20 We are opposed to the suggested change since the proposal does
 21 not appear to have any basis supported by fact. This proposal
 22 appears to be based solely on the originator's assumptions
 23 without supporting data. All regulations must give benefit of
 24 the doubt to the wildlife species in question. Sitka
 25 Conservation Society.

26
 27 The next one is from Mike Reeves, Klawock, Alaska. Due
 28 to vegetative cover, no reliable data is available on
 29 population size and sex ratio. Due to extensive habitat loss
 30 from Native corporations, the Forest Service timber harvesting,
 31 the deer population is at risk from loss of cover and exposure
 32 from logging roads. Observation of numerous does along the
 33 roads does not constitute a valid supposition that there are
 34 plenty of deer. The wolf population also depends on deer for
 35 survival. If the regulation is altered, there should be a
 36 limit of one doe, consideration for reducing the total limit to
 37 three deer, limit change to 1995/96 season only to assess
 38 consequences. Mike Reeves, Klawock.

39
 40 Then there's the last -- or the second to the last one
 41 from Pamela Nelson, Thorne Bay. I don't believe the doe
 42 season, as proposed, is a very sound or necessary proposal. I
 43 don't believe that the stable and/or growing deer population on
 44 Unit 2 will stay that way if this proposal is carried out as
 45 written. The deer hunting is good in Prince of Wales and every
 46 year the hunting pressure increases as more people are hunting
 47 there. If this proposal goes through as written, there will be
 48 noticeable decline in the deer population in following
 49 years. If the board still feels that the doe season is really
 50

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necessary for subsistence purposes, I suggest that the board consider changing the proposal, perhaps by limiting the number of harvested does with a permit for senior citizens and the handicapped only, and by shortening the season. There was a similar doe season on Prince of Wales in the 1980s in which over 200 does were taken in a three-week period. We did see an impact on the deer population in the following years. Does on Prince of Wales have had no hunting pressure and will be killed in large numbers. We have lived in an area where subsistence hunters could fill all their tags with does and there was a significant difference in the number of deer you saw that were there that were able to be taken. There was also an emergency closure in the area, following a large harvest caused by hunters. Pamela Nelson, Thorne Bay.

15

16 And the last one was the one that was faxed in, and it just reads: I really appreciate this opportunity to voice my opinion, as well as the opinion of some other Prince of Wales residents. This petition was placed in three locations in Thorne Bay on the morning of February 6, 1995 and collected in the afternoon of February 7. If I could have circulated this for a week I'm sure we would have collected a lot more signatures. This is an issue that the residents of Prince of Wales feel very strongly about. Late in the 1980s there was a very short doe season that was met with such strong opposition that it was never repeated. I'm not sure why Proposal 1 is being considered, but it would be devastating to the deer population and would again be met with strong opposition. Buck Gefre, Thorne Bay. And there's a number of pages. I've given copies of this -- there's a number of pages of petition. We have another one here.

32

33 Ms. Connie Farley called -- oh, called from Goffman Cove, on February 5, to speak on opposition to an open season for antlerless deer. She is a licensed vender in Goffman Cove and speaks for the whole community. Justification: There are plenty of bucks around.

38

39 That's the responses to Proposal 1, Mr. Chairman.

40

41 CHAIRMAN THOMAS: Okay. Thank you. Hank.

42

43 MR. NEWHOUSE: Hank Newhouse, with the Forest Service, Ketchikan area. I just handed out the analysis that was done by the Forest Service biologist -- wildlife biologist on the Ketchikan area, two biologists that work on Prince of Wales Island, one in Thorne Bay and another biologist that worked on the Craig Ranger District in Craig, and our area biologist, Cole Proctor Bedford and his assistant Mike Brown. They did

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3 CHAIRMAN THOMAS: Could you give us a summary and a
4 conclusion to that information?

5

6 MR. NEWHOUSE: Yeah, we will, real quick-like. There's
7 just a couple of points. Our recommendation is to be -- stay
8 on the conservative side of this at this point in time and
9 support the one doe harvest. That was the recommendation, but
10 there's several points in here in our analysis we'd like to
11 bring out. One, in our conversations with the local biologist
12 Ketchikan, the Fish and Game Wildlife biologist, that person
13 also supported a one doe harvest season. And if you look at
14 different pages on that, and I'll just refer you to the page
15 numbers here real quick-like, you can look at the pellet
16 surveys and stuff like that, the data that they have collected
17 -- there's wide confidence limits in that, and it's not that
18 reliable of data for what they're using. Data -- in many cases
19 when we're trying to make judgments on seasons and stuff, it
20 seems to, in the past, have been quite limited.

21

22 If you look at page 5, and look at that table, that's
23 an important thing to consider. Look at page 6, the top
24 paragraph there's a paragraph on population density. That
25 would be important for you to look at during your
26 considerations. Look at page 7, and I'll add -- I'll give you
27 one more figure that you can pencil in for 1993. I just got it
28 we just received that data. The total harvest of deer in
29 1993 by everybody was 2,807 deer. Rural community users in
30 which -- when we think of rural community users, we classify
31 all of them as subsistence users when we do our analysis, and
32 that helps -- that's for you, Vicki, because you asked that
33 question earlier.

34

35 Let's see, let me put my glasses on here so I can see
36. 1,756 deer were harvested by rural community folks that
37 are allowed to hunt in -- that qualify for subsistence in that
38 particular unit.

39

40 Okay. I'd ask you to look at page 8, the tables there,
41 they're important in your deliberations. And one of the things
42 and part of our analysis in looking and considering how we
43 were going to come up with our recommendations, one of the
44 publications that we used was the Alaska Department of Fish &
45 Game's Strategic Plan that was put out in 1990. In that
46 Strategic Plan they made some statements with respect to the
47 deer populations in Unit 2, and in particular the Prince of
48 Wales archipelago, that they felt that the deer populations had
49 largely recovered. They talked about the next logical step, as
50

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far as deer management on the island, would be to go -- would be to reinstitute a doe season there, which they had in the years in the 1950s, '60s and '70s, before we got into the cold winters of the '70s.

5

6 One of the other things that we use in the indicator in looking at analysis purposes for deer, and for you to consider, Council, is -- now we don't know exactly what the population is there, but the habitat capability model that we use to project the deer population on Prince of Wales Island indicates that there is a population of somewhere around 75,000 deer. And, you know, we assume -- you know, we assume the habitat capability equals population, though we know that that isn't exactly true, because within the band of habitat capability it could be a band just like this: Somewhere in there is where the population is at, that's normally where you would find that. And with 75,000 deer the assumption is -- and this is a figure that was developed by the combination who are working with the department and ourselves in some of our NEPA work that we've been doing in the past, that the harvest figure -- and this includes predation of wildlife, by wolves and bear and other predators on the deer population, and we assume that there can be a harvest level of about 10 percent of the population. And if you look -- and even if you consider that double the population is harvested, and we -- in our analysis we looked at the population, we figured for the amount of reported harvest that there's the same amount that's also harvested that's unreported. And so even at that level, that puts us into somewhere in the neighborhood of somewhat over 30,000 deer to 4,000 deer harvested, if you assume a population of 75,000 deer. If you follow the logic of what we've used in the modeling process and the projection in the past, you could harvest in the neighborhood of somewhere around 7,500 deer, if the population is around 75,000 deer.

35

36 With that, I'd answer any questions.

37

38 CHAIRMAN THOMAS: Questions, anybody?

39

40 MS. LeCORNUE: Could you tell me again about how you divide -- are they all subsistence users?

42

43 MR. NEWHOUSE: No, in the rural community every person that buys a hunting license and hunts or harvests deer that's from a rural community is considered a rural user or a subsistence user. Now, they may not view themselves as a subsistence user, but that's for analysis purposes, that's how we consider them. We can't, 'cause we have no way to -- unless we get into a really intensive interview process and say

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Separate those folks, but everybody that's from that rural community that is allowed to -- in the subsistence regulations, so harvest subsistence animals there would be considered a rural use and a subsistence user.

5

6 CHAIRMAN THOMAS: What about those of us that's been reduced to scavenging?

8

9 MR. NEWHOUSE: Well,

10

11 CHAIRMAN THOMAS: John.

12

13 MR. FELLER: Yeah. Thank you, Mr. Chairman. First, I'd like to thank Rachel for recognizing that Wrangell is part of the area 2 subsistence use. I told Dewey Skan that we have customary and traditional use of the salmon up on the north end of Prince of Wales and also my family in the past have been down in Thorne Bay. So, I just wanted to make that knowledge known and share it with you. And -- I lost my train of thought there for a minute here.

21

22 CHAIRMAN THOMAS: I would, too, if I told one like that.

24

25 MR. FELLER: Okay. Thank you, Mr. Chairman. Oh, okay, I've got it back here, Mr. Chairman. When I was -- I was supposed to get some written comment. I wanted to follow what Carol said. That's what confused me. On these proposals our Wrangell Advisory chairman, I talked to him in town before I left in Wrangell and he was emphatically against this proposal, and his reasons echoed what Hank and Bruce said earlier, that he thought there was illegal take of does anyway, and quite an amount of 'em. So the Wrangell Advisory Committee is against this proposal.

35

36 So that's all I have, Mr. Chairman. Thank you.

37

38 CHAIRMAN THOMAS: Anybody else? Lonnie.

39

40 MR. ANDERSON: I think I'd like to ask, does this count what you have here take in Wrangell, Petersburg and Ketchikan take from the deer population?

43

44 MR. NEWHOUSE: What, the harvest?

45

46 MR. ANDERSON: Yes.

47

48 MR. HEWHOUSE: It's all the harvest that occurs in the unit, and the subsistence portion of that does include

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Wrangell; the communities that are allowed to harvest
subsistence animals there, that's what is reflected in the
table.

4

5 CHAIRMAN THOMAS: Further questions? As of this time,
6 don't have any requests for public comment on this. If
7 they've been filled out, they haven't gotten to me. Al.

8

9 MR. McKINLEY: For information -- are you still on
10 proposal #1?

11

12 CHAIRMAN THOMAS: Proposal #1, yes.

13

14 MR. McKINLEY: For information, our people in Southeast
15 Alaska

16

17 MS. JORGENSEN: Please tell him we can't hear him.

18

19 CHAIRMAN THOMAS: With all due respect, would you list,
20 for those that don't know, your name, rank and serial number?

21

22 MR. McKINLEY: Special forces? Coming here to
23 annihilate the enemy -- are these the enemy? I'm
24 Alfred McKinley, Sr., I'm the Grand President of Alaska Native
25 Brotherhood. Just for information on the -- we have
26 solutions that were disseminated to the convention, and some
27 of them -- as you know, Bill, the influx of hunters from
28 Kotchikan that really raised cane with the deer population in
29 that area, and since, I guess, I represent everybody, I guess I
30 have to speak up for every one of those people, too, you know,
31 that -- on the population of the deer harvest. And I listened
32 to the comments of what Carol read, and it's right on target,
33 and also that sometimes we seem to forget what we have -- what
34 our people practice throughout the state of Alaska. A funeral
35 ceremony family stays in mourning until they have the pay-off
36 party and -- but also it seemed like to me that there
37 should be some provision proxy or some type of mechanism that
38 should be built into the harvest, you know, like this last year
39 that has happened to my family where my mother -- we had to
40 have a pay-off party and I donated two deer, and my brother
41 smoked two deer, that's four, so I end up with a limited amount
42 to take home, and when I take home I should share with some of
43 my elder people in Juneau, and end up with two deer. To me,
44 I'm satisfied with two deer, you know, but I know in the rural
45 communities it's a little different.

46

47 It seems like, to me, Mr. Chairman, there should be
48 some provision built in there, because the proxy system, I
49 think, should be looked at, analyzed very carefully because

50

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When you get old -- I'm getting there, just like everybody else, you know,

3

4 CHAIRMAN THOMAS: We're not discussing proxy right now, we're talking doe season.

6

7 MR. McKINLEY: Doe season, right. It's

8

9 CHAIRMAN THOMAS: Almost the same.

10

11 MR. McKINLEY: Well, it's hard to tell when you can't see anymore, you know. Well, anyway, that's the -- it's something that I think the board should look at, you know, whether it be a buck or deer -- I mean a buck or a doe, you know, to analyze as far as when we serve at the local level throughout Southeast Alaska. And, in fact, I

17

18 CHAIRMAN THOMAS: Are you saying then that you would support a reasonable approach to the doe season?

20

21 MR. McKINLEY: Yes, right. I'm pretty sure that's what we -- our people want throughout Alaska, as far as our fisheries in the ANB level and the ANS also, when we talk about our harvest of deer. But that's how we -- I guess now that our way of life is coming out, and I take my hat off to you, you're doing a good job.

27

28 CHAIRMAN THOMAS: Good job. Thank you, Al. Any further comment from the public at this time?

30

31 MR. BROWN: Hi.

32

33 CHAIRMAN THOMAS: Hi.

34

35 MR. BROWN: My name is Greg Brown. I'm just a subsistence user. Your information on Proposal 1, it says that additional information appears that the deer population is stable or increasing. I don't think so. Nowadays, now when we go hunting we have to go further to get a deer. You find in areas there's a lot more people hunting all over the place. Like these little -- like outside here in Hoonah, Mount Bether, they drop hunters off all over in the bay here, and they hunt they take a lot of deer. Then you've got the loggers that live in here, they take a lot of deer. And you have all these people coming in from Outside, they take a lot of deer. And every year that I've been hunting I've had to go further and further out to get my deer. So I was wondering where you got the information on saying that it appears that the deer population is increasing.

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2 CHAIRMAN THOMAS: That's a good, bureaucratic term. It
appears, it didn't say it was. I didn't write the proposal, by
the way, but the word "appears" is suggesting that it does is
all, see.

6
7 MR. BROWN: So it's not a fact then, huh? 'Cause if it
appears, then you'd see it, but I don't see it. I've got to go
further and further out to get my deer.

10
11 CHAIRMAN THOMAS: Yeah, this is making reference to
Unit 2. You're hunting in Unit 4.

13
14 MR. BROWN: All right. That's my mistake. I did have
a court hearing against the United States government, and I
challenged them on the land issue itself. They failed to prove
to me that they own the land so they acquitted me. It seems
that if you don't own the land how can you regulate it. That
was my question. I wanted to bring it up to the -- we got it
to the Ninth Circuit and I went all the way to the Ninth
Circuit with it. I challenged them on their laws, and Section
209 of ANCSA says that subsistence users get priority over
kayaking and tourism. I was wondering what the stand was on
that. If we, as subsistence users, have priority over tourism
and kayaking, why are they increasing tourism in say like
Macier Bay where I was cited for shooting a seal out there? I
shot the seal for a traditional party. I was asked by my uncle
to do it, and it was his rifle that I used. I was thinking
that it seems that any time when Tlingits have a potlatch party
that they should be the ones that issue the permits instead of
the State telling us -- or the Federal government telling us if
we can do this or not. It seems like the people themselves, if
they're doing it for a traditional party or a potlatch that
they issue them permits themselves instead of us having to get
on the phone and say can we do this. It was my freedom of
religion, I tried to get that into the court system, too. That
was denied to me. My right to bear arms was denied to me.
They never proved to me that they owned the land. I have land
plots right here that was given to us by the state, by the
National Forest -- or the National Park Service. The Park
Service says that we can't go up there, we can't get our land,
we can't claim our land but they let Gustavus people do it.

43
44 I was wondering, they gave me four reasons why I
couldn't get my land from my dad and my grandfather and my
great-grandfather. The fourth reason that they gave to me was
saying that my family was too big and we all might move up
here, and that was just discrimination right there. Across
from my grandfather's land you have homesteaders that homestead
50

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inside the bay there. I was wondering what could be done to help in the way of the Federal Subsistence Board here?

3

4 CHAIRMAN THOMAS: Well, I agree with everything you said, everything you intended to say, I agree with that, but to answer your question on what can we do from the Federal Subsistence part of things, unfortunately, none of us signed any treaties, none of us signed any land claims acts, but we are dealing with the Federal government. The Federal Government recognized an opportunity to use the community input, at least on this approach to subsistence. This is after the fact of your incident in Glacier Bay. My assessment of this, to get to your question, is if we hope to regain control of what we've lost land-wise, I think we're going to need to continue to demonstrate our ability to manage and be responsible. I think by doing that -- we're dealing with a bureaucracy and we have to teach them everything, they forget they don't have to teach us anything. That's not fair, but that's how life is. So, my assessment is if we can continue to be productive and positive, hopefully at some point we'll reach a point to where we can recapture some of what we lost. That's the best assessment I've got, Greg.

23

24 MR. BROWN: I was wondering how this could be done when they don't own it. I mean how can you regulate something you don't own?

27

28 CHAIRMAN THOMAS: Well, if you're asking me directly, I'm not regulating. We're an advisory council. We report to a Board, and whether they own it or not, they make regulations as far as we're concerned. We're trying to make it better for ourselves by being involved in it.

33

34 MR. BROWN: Thank you.

35

36 CHAIRMAN THOMAS: Thank you. Any further public comment in reference to Proposal #1? Seeing none, we'll bring it to the Council for deliberation and action. The Chair will entertain a motion to adopt.

40

41 MS. WILSON: Mr. Chairman, I move the adoption of Proposal #1.

43

44 CHAIRMAN THOMAS: You heard the motion to adopt. Is there a second?

46

47 MS. PHILLIPS: I second the motion.

48

49 CHAIRMAN THOMAS: It's been moved and seconded.

50

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Discussion? Mim.

2

3 MS. ROBINSON: How do we go about amending it to one
4 doe may be taken only from October 15 to December 31?

5

6 CHAIRMAN THOMAS: Just say, Mr. Chairman, very kindly,
7 and say, I offer an amendment.

8

9 MS. ROBINSON: I offer an amend, Mr. Chairman, very
10 kindly.

11

12 CHAIRMAN THOMAS: An amendment has been offered to
13 change the limit from four to one. Is there a second to that
14 amendment?

15

16 MR. VALE: Second.

17

18 CHAIRMAN THOMAS: It's been moved and seconded.
19 Discussion on the amendment? John.

20

21 MR. VALE: Yeah, Mr. Chairman. I guess I support the
22 amendment. I'm listening to the public comment and the
23 comments by the Fish & Wildlife Service. I thought I heard
24 that they felt that the population was stable and may be
25 verging on carrying capacity, close to it, if it hasn't reached
26. And listening to the public comments that we heard there,
27 while there was some opposition to a doe season, there were a
28 number of 'em who indicated they felt, you know, a limited
29 harvest would be acceptable or, you know, they could live with
30. And also the comments that we heard regarding the -- you
31 know, the need for the animals, and so based on what I've seen
32 I'll support the amendment.

33

34 CHAIRMAN THOMAS: Patty.

35

36 MS. PHILLIPS: Mr. Chair, after reviewing the data and
37 the comments -- public comments, I would rather -- after
38 reviewing Gretchen Goldstein, her proposal was a limit of two
39 does to island residents. The number of island residents is
40 almost 3,000, but if you -- not counting Ketchikan and
41 Wrangell, the number of residents able to hunt does is 10,000,
42 not including Ketchikan and Wrangell. But if you limit it to
43 just the island residents, you're looking at about 2,000
44 people. I realize this is a public process, but the petition
45 from Thorne Bay, the percentage of Alaska Natives is
46 62 percent, and so I don't feel like they're being sensitive
47 to the Native culture on the remainder of the island.

48

49 And if I look at -- looking at the data from Hank, it

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shows that the number of deer harvested by primarily Ketchikan residents is half of that taken by subsistence users. And also references that 10 percent of the deer population in GMU 2, 40 percent can be harvested of 75,000. That means 7,500 can be taken, but only 3,000 are harvested annually. So, I would move to support more of a two doe take for island residents only. Thank you.

CHAIRMAN THOMAS: Do you offer an amendment to the amendment?

MS. ROBINSON: I move to.

CHAIRMAN THOMAS: An amendment to the amendment's been offered to change that to two, limited to island residents.

MS. ROBINSON: I have a question about that amendment to the amendment. Would that be leaving it one doe for all the other people that hunt on the island?

MS. PHILLIPS: That would be acceptable.

MS. ROBINSON: And then two for the residents?

CHAIRMAN THOMAS: No.

MS. PHILLIPS: Can't do that?

CHAIRMAN THOMAS: No.

MS. ROBINSON: So everyone could do at least one but residents could do two?

CHAIRMAN THOMAS: You could either boil them all down, withdraw them all and start over again. That's the purpose of discussion.

MS. ROBINSON: Well, I'm just wondering if that's what her intent was.

CHAIRMAN THOMAS: If we adopt the last motion, that will amend the main motion to two per island residents, period, the consideration for one will be gone.

MS. PHILLIPS: But that -- it could be -- we're still modifying the proposal.

MS. ROBINSON: No one has seconded the amendment yet, so, I'm just wondering what her intent was.

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2 CHAIRMAN THOMAS: The only reason it wasn't seconded
3 was it wasn't given an opportunity.
4
5 MS. ROBINSON: I know. I just
6
7 MS. PHILLIPS: Second the motion.
8
9 MR. ANDERSON: She seconds the amended motion.
10
11 CHAIRMAN THOMAS: I'm just trying to refresh the
12 Council's skills on the procedures also. If the second motion
13 amend the amendment is adopted, that nullifies the first
14 amendment.
15
16 MS. ROBINSON: Was the amendment to the amendment
17 seconded?
18
19 CHAIRMAN THOMAS: Marilyn.
20
21 MS. WILSON: Discussion.
22
23 CHAIRMAN THOMAS: Okay. Discussion on the second
24 amendment.
25
26 MS. WILSON: The second amendment.
27
28 CHAIRMAN THOMAS: Okay.
29
30 MS. WILSON: How are we going to discern the hunters
31 that aren't on the island? How do you stop the hunters? I
32 mean onto the island to hunt; are you going to stop each hunter
33 that comes to the island and ask them if -- check their deer,
34 how do you enforce this?
35
36 CHAIRMAN THOMAS: I'm going to be a volunteer VPSO.
37 That's a good question, and it's probably something that we
38 won't have any control of. Anything we vote here will be shot
39 down someplace else, along that line, because there isn't
40 anybody in the world that's going to support an island only
41 hunt. It's a good try, but they won't support it. I'm just
42 being generous as Chairman to allow it to go through the motion
43 process.
44
45 MS. LeCORNU: Isn't there supposed to be a priority,
46 well, for a customary and traditional user?
47
48 CHAIRMAN THOMAS: When other resources have been deemed
49 peril, then the priority kicks in. Patty.
50

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1
2 MS. PHILLIPS: How about to hunters of GMU 2 instead of
3 island residents? How about just allow to residents of GMU 2?
4
5 CHAIRMAN THOMAS: Same thing.
6
7 MS. ROBINSON: Mr. Chairman.
8
9 CHAIRMAN THOMAS: Mim.
10
11 MS. ROBINSON: Just in response, that would be doing,
12 like John or -- was it John that made this motion? I can't
13 remember who did -- or Marilyn. The one doe would -- I guess
14 that was me -- I'm getting tired. The one doe, it would be two
15 does instead of one. That's how it would change the first
16 motion. So I think I would -- at this point I would tend to
17 just want to stick with one doe, period, for the unit.
18
19 CHAIRMAN THOMAS: Patty is trying to out-fox the foxes.
20
21 MS. ROBINSON: I was talking about one, that's the
22 original one.
23
24 CHAIRMAN THOMAS: Discussion on the motion to amend the
25 amendment?
26
27 MS. ROBINSON: Question.
28
29 CHAIRMAN THOMAS: Question has been called. All those
30 in favor, say aye.
31
32 (No affirmative responses)
33
34 CHAIRMAN THOMAS: All those against, say no.
35
36 IN UNISON: No.
37
38 CHAIRMAN THOMAS: Okay. We're back to the motion to
39 amend. Would you read the motion to amend, please, the first
40 motion?
41
42 MS. LeCORNUE: The first motion to amend?
43
44 CHAIRMAN THOMAS: Yes, please.
45
46 MS. LeCORNUE: Mim offered the amendment and John
47 seconded, limiting the harvest to one doe. Is that the one you
48 want?
49
50

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1 MS. WILSON: Yes, that's the amendment.

2

3 CHAIRMAN THOMAS: You all heard that motion, it's been
4 seconded. Discussion?

5

6 MS. ROBINSON: Mr. Chairman. Just to clarify that it
7 would read, however, one antlerless deer may be taken only from
8 October 15 to December 31, that would be the actual language.

9

10 CHAIRMAN THOMAS: Further discussion?

11

12 MR. FELLER: I call for the question, Mr. Chairman.

13

14 CHAIRMAN THOMAS: Question is called for. All those in
15 favor, say aye.

16

17 IN UNISON: Aye.

18

19 CHAIRMAN THOMAS: Opposed, same sign.

20

21 (No opposing responses)

22

23 CHAIRMAN THOMAS: The motion carries.

24

25 I have a real important question. I understand there's
26 a schedule for this evening for use of the hall. When do we
27 need to be out of here? Where's our Hoonah liaison. Oh, there
28 is.

29

30 MS. WILSON: There's still a motion on the floor, the
31 main one.

32

33 CHAIRMAN THOMAS: When do we need to be out of here?
34 4:00 o'clock? Question: ANB Hall committee, is it possible to
35 have this setup here like this? At our own risk, I suppose,
36 huh? You guys don't carry \$100,000 insurance? Does the hall
37 fill up?

38

39 MR. DALTON: Pretty much, this area is utilized quite a
40 bit.

41

42 CHAIRMAN THOMAS: We'll have to break down the setup.
43 Okay, that being the fact, and 5:00 o'clock being the target of
44 45 minutes away, you've all been studious, indulgent,
45 cooperative, attentive, awake for the most part. We will not
46 recess this session until 9:00 o'clock in the morning.

47

48 MR. VALE: Mr. Chairman.

49

50

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1 CHAIRMAN THOMAS: John.

2

3 MR. VALE: It's a formality, but I believe we voted on
~~the~~ amendment and not on the main motion, and we still need to
~~vote~~ on the main motion.

6

7 CHAIRMAN THOMAS: You're correct. I told you I was
~~8~~ired.

9

10 MR. VALE: Call for the question on the main motion.

11

12 CHAIRMAN THOMAS: We're still on the main motion. All
~~those~~ in favor, say aye.

14

15 IN UNISON: Aye.

16

17 CHAIRMAN THOMAS: Those opposed, say no.

18

19 (No opposing responses)

20

21 CHAIRMAN THOMAS: Motion carried. Don't let me go
~~un~~attended, John. Anything else? Thank you.

23

24 MS. MASCHMEYER: (Indiscernible - away from microphone)

25

26 CHAIRMAN THOMAS: Everything is the same except for the
~~number~~.

28

29 MS. ROBINSON: So it would be one antlerless deer,
~~at~~ cetera?

31

32 MS. MASCHMEYER: So four deer?

33

34 MS. ROBINSON: Yes. Four deer, however one antlerless
~~deer~~ may be taken only from (indiscernible).

36

37 MS. MASCHMEYER: (Indiscernible - away from microphone)

38

39 MS. ROBINSON: Well, that's a good question. Five deer
~~total~~ or four deer total?

41

42 MR. VALE: Four.

43

44 MS. ROBINSON: So the answer was four? So then it
~~w~~ould be three deer with one antlerless, one of those being
~~ant~~lerless.

47

48 MS. WILSON: That's what I thought. It wasn't worded
~~th~~ght.

50

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1
2 MS. ROBINSON: Okay. I understand what you're saying.
3
4 MS. MASCHMEYER: So is it four deer and no more than
5 one
6
7 MS. ROBINSON: Right. I got it. So that way you could
8 get five antlered deer -- I mean four antlered deer, but then
9 you couldn't get a doe.
10
11 CHAIRMAN THOMAS: Yeah.
12
13 MS. ROBINSON: Right.
14
15 MR. DALTON: Mr. Chairman.
16
17 MS. MASCHMEYER: (Indiscernible - away from microphone)
18
19 CHAIRMAN THOMAS: Would you speak into your mike,
20 please?
21
22 MS. MASCHMEYER: Yes. To identify myself -- is this
23 thing on?
24
25 CHAIRMAN THOMAS: Yes.
26
27 MS. MASCHMEYER: This is Gloria Maschmeyer, with Fish &
28 Wildlife Service. I'm the recorder, and I just wanted to
29 verify the wording on the proposed regulation, and I have Unit
30 deer: and four deer, no more than one may be antlerless,
31 taken from October 15 through December 31. Is that correct?
32
33 CHAIRMAN THOMAS: Since the proposal was pretty
34 ambiguous in nature, I guess we need to -- if we're going to
35 make forth a recommendation and I'm going to be representing
36, I need to understand. That's a good question. So, we're
37 talking four deer in total, right? There was nothing said
38 about an additional deer. Okay. So it will remain four deer,
39 one of them could be an antlerless.
40
41 MS. ROBINSON: However, no more than one antlerless
42 deer. Make sure you have: ...however, no more than one...
43 cetera.
44
45 CHAIRMAN THOMAS: Oh, Mim.
46
47 MS. LeCORNUE: Are the dates different? I mean
48
49 MS. ROBINSON: The dates are within this proposal.
50

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MS. LeCORNU: For the same period?

MS. ROBINSON: What's in the proposal.

CHAIRMAN THOMAS: Yeah. Richard.

MR. DALTON: Yes. I'd just like to make an announcement before we run off. Tomorrow, after we adjourn, we're going to prepare this hall so that we can have a subsistence dinner, potluck dinner tomorrow evening. All of our guests are invited. I hope you will enjoy our subsistence. I tried to get a trip to Glacier Bay to get some seal, but there's too many people around, we couldn't do it.

CHAIRMAN THOMAS: If everything goes right, I'm going to hand Hoonah the title to Glacier Bay on Monday afternoon.

(Off Record)

(PROCEEDINGS TO BE CONTINUED)

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3 UNITED STATES OF AMERICA)
4) ss.
5 STATE OF ALASKA)
6

7
8 I, Rebecca Nelms, Notary Public in and for the State of
9
10 Alaska, residing at Anchorage, Alaska, and Reporter for R & R
11
12 Court Reporters, Inc., do hereby certify:
13

14 THAT the annexed and foregoing is a Transcript of the
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16 Southeast Federal Subsistence Regional Advisory Council
17
18 Meeting, Volume 1, taken on the 8th day of February 1995,
19
20 commencing at the hour of 10:00 o'clock a.m., at the Alaska
21
22 Native Brotherhood Hall, Hoonah, Alaska;
23

24 THAT this Transcript, as heretofore annexed, is a true
25
26 and correct transcription of the proceedings, recorded by
27
28 Laurel L. Evenson and thereafter transcribed by
29
30 Laurel L. Evenson.
31

32 IN WITNESS WHEREOF, I have hereunto set my hand and
33
34 affixed my seal this 21st day of February 1995.
35

36
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38 Notary in and for Alaska
39 My commission expires: 10/10/98
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